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A

HISTORY OF ENGLAND,

DURING

THE REIGN OF GEORGE THE THIRD.

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THE REIGN OF GEORGE THE THIRD

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BY

WILLIAM MASSEY M.P.

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PREFACE.

IN preparing this Volume, I have been much aided by information derived from private sources. The late Mr. Edward Hawke Locker, a Commissioner of Greenwich Hospital, about forty years since, with the sanction of the Royal Family, and with the assistance of many distinguished persons, collected voluminous materials for a life of George the Third. The progress of the work, however, was stopped, by the interposition of Lord Liverpool, then at the head of the Government, who thought the time had not yet arrived for such a publication. Mr. Frederick Locker has kindly placed at my disposal the papers collected by his father for the important work which he had undertaken; and I have thus been enabled to obtain much curious and interesting information, relating both to the public transactions and the secret history of this reign.

Lord Bolton has likewise permitted me to refer to the extensive correspondence of his grandfather, the first peer, who was for many years in office, and in confidential intercourse with Mr. Pitt, especially during the earlier years of his administration. I have also had access to other private collections; but contemporary sources of information, unless corroborated by other testimony, cannot safely be relied on. Party prejudice, credulity and general inaccuracy, without wilful misrepresentation, which perhaps rarely occurs, are sufficient to mislead those who do not advance with vigilance and caution in the search for historical truth.

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CHAPTER XXV.

MILITARY OPERATIONS IN THE CAROLINAS — TREASON OF ARNOLD AND EXECUTION OF ANDRÉ — LORD CORNWALLIS — THE ARMED NEUTRALITY — NEW PARLIAMENT — BURKE'S BILL FOR REGULATING THE CIVIL LIST — PITT'S FIRST SPEECH.

1780

State of affairs in America.

THE gallant and successful defence of Savannah, followed by the departure of the French fleet from the shores of America, were events of great importance to the royal cause; and the reduction of the southern provinces was anticipated on both sides as the probable result. Sir Henry Clinton, with a promptitude which had not distinguished the movements of his predecessors in command, hastened to improve the advantage which was opened to him; and leaving the German general, Kniphausen, in charge of New York, himself took the command of an expedition directed against Charlestown, in South Carolina.

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Disasters of the fleet.

The fleet encountered many disasters at sea; many of the transports were lost or taken by the enemy; nearly all the horses perished; the vessel which carried the siege train foundered; but the general, after some hesitation, persevered; and, at length, on the eleventh of February, appeared before Charlestown, the principal port and capital of South Carolina.

Condition of the American army.

The American commandant, Lincoln, was at the head of a force numerically double the effective strength of the English, but still inadequate to the defence of extensive works, and the harassing duties of a garrison in a state of siege. The governor of the province, John Rutledge, who had long been one of the leading members of Congress, was invested by the Provincial Assembly with plenary powers, and immediately issued a proclamation requiring the militia and the principal inhabitants of the province to come in and join the army. Little or no attention was paid to this summons; the country people being, for the most part, either well affected to the English, or under the belief that resistance would be vain. A requisition to the Spanish governor of the Havannah for ships and soldiers was likewise unsuccessful; and the American general, assisted only by a few French engineers, was left to maintain the struggle without any hope of succour either from his countrymen, or their pretended allies. The defences, however, were strong, and covered the town on every side. The harbour was protected

by a bar, and by a small squadron under the command of Commodore Whiffle. Ch. 25.

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Clinton proceeded to form the siege by regular approaches; and two months after he had appeared before the place, his batteries were opened. At the same time, strong detachments were sent to cut off the communications between the town and the open country. One of these parties, under the command of Colonel Tarleton, surprised an American post at Cooper River, and thus obtained for the British the command of the main communication between the city and the interior of the country. About the same time, Clinton having received reinforcements from New York, was enabled to send another body of men in support of Tarleton and his fellow brigadier; and several detachments were consolidated under the command of Lord Cornwallis. Movements of Sir H. Clinton.

The American general, finding himself blockaded at sea, and closely invested on the land side, was no longer able to protract the contest. A Council of War concurred in supporting the petition of the terrified inhabitants, that Lincoln would consent to terms of capitulation. But such was the situation of the American army, that these terms were little better than an unconditional surrender. 8,000 prisoners gave up their arms; and the English destroyed or took possession of all the ships, artillery and stores. Surrender of Charlestown.

This was the most complete enterprise of any that had been attempted on either side during the

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war. It was planned with prudence and military knowledge; it was executed with precision and professional skill. Such success as had been achieved by the British arms in this expedition was sure to attach great numbers to the royal cause. Many of the waverers were fixed. The wealthy proprietors of the Southern States, who had, for the most part, desired to find a middle term between submission to the policy of the Stamp Acts and separation from Great Britain, showed a strong disposition to retrace the steps into which they had been hurried by the vehemence of the northern provinces; still, having gone such lengths, they hesitated, and Clinton saw that he must proceed with caution. He issued conciliatory proclamations and addresses, and conjointly with the British admiral, in the capacity of pacific commissioners, promised, in the language which had been repeatedly addressed to the northern provinces, redress of grievances, and especially full concession of that particular claim of self-taxation, which, though it had been the origin of the quarrel, had long since disappeared in pretensions of greater magnitude. The British general himself placed little reliance on these overtures; but made judicious arrangements for the reduction and occupation of the colony by military means.

Clinton returns to New York.

Sir Henry Clinton having made these dispositions, returned to New York, leaving Lord Cornwallis to carry on the war in North Carolina and Virginia.

The intelligence of the fall of Charlestown, reached Washington at a time when his fortunes had sunk to the lowest point of depression. His army, reduced by the annual departure of troops at the expiration of their term of service, had failed to obtain recruits, and reckoned scarcely four thousand men. The pay of this handful of troops was several months in arrear; and the only means of paying them was in the continental currency, now depreciated almost to a nominal value. An American colonel, paid in paper money, could not realize the wages of a day-labourer. The supplies of forage were also scanty and precarious. The troops were frequently without meat for several successive days; and many of the officers were content to live on bread and cheese, rather than diminish the scanty rations of the men. The fortitude with which the army had long borne these privations began to give way: a mutinous spirit prevailed, and two regiments laid down their arms on parade.

Mutinous spirit of the troops.

These are incidents of war which have tried the constancy of generals acting under established and powerful governments; nor is Washington perhaps entitled to extraordinary praise for bearing up against such trials. The circumstances which really shook the firmness of that powerful and well balanced mind were the decay of public spirit; the impatience of a protracted war, which had as yet been productive of no positive results; and the deterioration of that great central body,

Firmness of Washington.

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which, in the earlier stages of the struggle, had informed the whole confederation with its vigour and enterprise. The constitution of Congress was defective in one main particular, essentially necessary for the prosecution of war. It was not invested with that absolute sovereign power which such an exigency demands. Each of the thirteen associated states reserving absolutely the independent power of taxation, furnished its separate contingent to the army. The result of this system was the collection of a force, which comprised every variety of equipment and every degree of efficiency. Washington represented to Congress the inconvenience and indeed the absurdity of this system, in terms which must have carried conviction to that assembly, had it been swayed by men of sense and action. But Congress, obeying what would seem to be the instinct of popular bodies, appears to have been more concerned, lest the virtues and abilities of the Commander-in-chief should be injurious to the influence of democracy, than that they should be rendered formidable to the common enemy.[a] Actuated by this spirit, Congress seemed to consider, that the policy best

[a] It was objected, 'that too much power should not be placed in the hands of the Commander-in-chief; that his influence was already too great; that even his virtues afforded motives for alarm; that the enthusiasm of the army, joined to the kind of dictatorship already confided to him, put Congress and the United States at his mercy; that it was not expedient to expose a man of the highest virtue to such temptation.'— SPARKE'S *Life of Washington*, vol. vii. p. 15.

adapted to the safety of the Commonwealth was, to stint the military resources, and to disparage the authority of their too able and faithful servant. They paid no more attention to his repeated and urgent representations than decency demanded; and without consulting him, they appointed the least competent of his lieutenants, and one who had even set up pretensions as his rival, to the command in the Southern provinces. General Gates was nominated to this most important post, without even the knowledge of Washington.

Inefficiency of Washington's army.

The inefficiency of the force at the disposal of the Commander-in-chief, precluded him from improving an opportunity of striking a formidable, and possibly a fatal blow, at his antagonist. The head-quarters of the British Army, weakened by the detachment of a large force on the Southern expedition, were suddenly deprived of their natural defences. The unusual severity of the winter of 1779—80, had frozen the waters which surrounded New York, so as to form a road over which the largest army and the heaviest train of artillery might have been transported with ease and safety. Kniphausen, who commanded in the absence of General Clinton, was in daily expectation of an attack; for which his army, diminished in numbers, and suffering from privation, was ill prepared.[b] But the Americans were still less able

[b] General Pattison to Lord George Germaine, New York, February 22nd, 1780.

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to act on the offensive, than the British to defend their position against a general assault; Washington however, who seldom neglected an opportunity, made an attempt on a British outpost at Staten Island, though without success.

Unsuccessful expedition of Kniphausen.

When the frost broke up, Kniphausen, hearing of the reduced and mutinous condition of the enemy, and receiving exaggerated accounts of the friendly disposition of the country-people, made an incursion into the Jerseys, with the view of attacking the American camp at Morristown. But he soon found, that no encouragement was to be expected from the people of the province, and that the discontent of the American army fell far short of disaffection to the cause in which they were engaged. The British Generals, Matthews and Sterling, who commanded the expedition, thought it prudent to retire without striking a blow: in their retreat, they were joined by Sir Henry Clinton, who expressed his displeasure at the precipitation of a movement, which disconcerted the plans he had formed for a more complete operation.

Arrival of French troops.

The opportune arrival of succours from France in the summer, relieved Washington from difficulties, against which it was hardly possible that he could long have maintained the struggle. Six thousand French troops, under the command of a veteran officer, mustered in July at the head quarters of the American Commander-in-chief, who received, at the same time, a commission as

Lieutenant General in the service of Louis, in order that his military rank might be superior to that of the Count de Rochambeau, who commanded the French division. A French fleet of seven sail of the line, besides frigates, conveyed these military reinforcements, and remained at Newport, the principal harbour of Rhode Island. Clinton formed a plan for blockading the French fleet, and landing a force on the island; but this plan, which appears to have been a good one, was frustrated by the hesitation and delay of the English Admiral, Arbuthnot, who showed no disposition to co-operate cordially with his military colleague. When at length Arbuthnot gave a reluctant consent to the expedition, it was too late. The French General had been allowed time to intrench himself and procure reinforcements. Clinton, therefore, abandoned his design, and retired in disgust to New York.

Arrival of Admiral Graves.

A few days after the expedition to Rhode Island had been withdrawn, the arrival of six ships under Admiral Graves, gave Arbuthnot that preponderance of force, which enabled him to challenge the enemy's fleet. The French, however, did not venture to leave the harbour; and Rochambeau, considering that the force at his disposal could not be spared from the defences of Newport menaced by the superior strength of the British, remained inactive within his lines. Washington was thus deprived of the aid upon which he had calculated for any new enterprise; and Clinton,

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though he thought he had force enough to reduce the peninsula, formed by the Chesapeake and the Delaware, declined to undertake a conquest which it would require two thirds of his whole army to maintain.[c]

While each army remained in a state of inaction, watching for an opportunity to strike an important blow, an incident took place which excited an interest of the most painful character on both sides.

Among the military adventurers of the Revolutionary war, the most remarkable was Benedick Arnold. His skill and conduct, still more than his daring exploits, had gained him the respect of the English and German officers, loth as they were to recognize merit in any man who had not been regularly trained to the profession of arms. Among his own countrymen, he ranked next to Washington in military reputation; and by Washington himself Arnold was esteemed his most able and enterprising lieutenant. On the recovery of Philadelphia, by the Americans, Arnold had been left in command at that city. In that position he gave great offence to the puritanical and republican party, by the magnificence of his establishment and the freedom of his habits. He married a young lady of celebrated beauty, who had been a principal actress in the famous pageant,

[c] Sir Henry Clinton to Lord George Germaine, August 25th, 1780.

called the 'Mischianza,' which had been celebrated by the officers of the British army, on the occasion of General Howe's resignation of the command. Nor did he atone for the irregularities of his life, as they appeared to the primitive and intolerant citizens of Philadelphia, by any extraordinary deference to the wisdom of Congress. On the contrary, he took no pains to conceal his military contempt of that body, to whom, for that reason perhaps, he had ever been in some degree an object of suspicion and dislike. His style of living, at Philadelphia, so much beyond any means he was known to possess, afforded a pretext for censure; and reports of a most defamatory character were freely circulated. When his accounts were rendered to Congress, more than half of them were disallowed. Charges of peculation and misuse of the public property were brought against him, and referred to a Court-martial. An adverse decision was obtained, though upon points so frivolous as to mark the whole proceeding with a character of injustice and oppression. He was sentenced, however, to be reprimanded; and this duty was performed by Washington, who, it is needless to say, had been no party to the Court-martial, with a delicacy and a magnanimity which converted the censure he was bound to pronounce, into a complimentary admonition.

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Arnold was not disposed to underrate his merits and services; consequently the harsh measure of

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justice which he experienced from Congress, inspired him with feelings of the bitterest resentment, and he meditated an ample revenge. He determined to betray the American cause; and he proceeded with a plan and a deliberation, which were designed to secure complete success. He opened a correspondence with Sir Henry Clinton under a feigned name; and Major André, the British Adjutant-general, an accomplished young officer entirely in the confidence of Clinton, conducted the correspondence on the part of his chief. This clandestine intercourse continued for eighteen months; during which period Clinton received much valuable information from his unknown friend. At length the time arrived when each party desired to come to an express understanding. Clinton had, from the first, been satisfied that the person who addressed him under the signature of 'Gustavus' could be no other than Benedick Arnold; and no pains were taken to conceal the rank and quality of the officer, who responded under the name of John Anderson.

Major André.

Some time before the plot was consummated, and with an immediate view to its consummation, Arnold had solicited and obtained from Washington, the charge of the important post of West Point, the centre of a chain of forts on the banks of the Hudson, forming the key to the highlands, and commanding the passage of the great river which separated the northern from the central and southern states. The possession

Fort of West Point.

of these posts would have been a military advantage of far greater magnitude than any which the British had obtained throughout the war; and if turned to due account, should have gone far to determine the long-protracted struggle. It was this chain of posts that Arnold proposed to surrender to the British general.

Meeting between Arnold and André.

A negotiation so delicate and dangerous could not be conducted by letter. A meeting between Arnold and André was, therefore, to be contrived. On the evening of the 22nd of September, André was conveyed up the Hudson by the 'Vulture', sloop of war, and landed at a neutral point between the lines of the hostile armies. There he was met by Arnold, and a conference took place between the two officers, which lasted the greater part of the night. At this interview, Arnold unfolded the details of his scheme, and furnished André with papers containing a plan of the forts, together with instructions which it was necessary for the British general to observe, in order to ensure concerted action, and to guard against a miscarriage of the undertaking. These papers André was so rash as to receive, notwithstanding the express prohibition of Clinton, who had warned him against secreting papers upon his person, or practising any disguise or subterfuge which might excite suspicion. André, however, was prevailed upon, or in a manner compelled, to neglect all these precautions. Arnold, who had failed in several attempts to arrange a secret meeting with

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André, appears to have been already seized with the alarm which commonly haunts traitors and conspirators; he feared that the plan would be frustrated, and himself compromised, if it was known that he had held a conference with a British officer, though under a flag of truce. He would not, therefore, permit André to return to the ship next day, but carried him to a place of concealment within the American lines. He insisted that André should lay aside his uniform, and assume the name of Anderson, under which the correspondence had been carried on. In this name, Arnold furnished his guest with a passport, and dismissed him to find his way to New York by land.

Mode of André's arrest.

The disguised officer proceeded in safety with the American general's pass; and having quitted the enemy's lines, had already congratulated himself on the termination of his perilous adventure, when he was stopped by a patrol. Thrown off his guard, he challenged the men, who said they were British, upon which the unfortunate André declared himself a British officer. He was, thereupon, informed that he was in the custody of a patrol of the United States' Militia. It was in vain that he attempted to retract his admission, and deny his cloth; equally in vain did he offer his watch and money, with promises of great reward, if his captors would allow him to proceed, or accompany him to New York. The picquet were only the more persuaded by the

conduct and appearance of their prisoner, that he was a person of consideration. They searched him, and, secreted in his boot, they found the papers which he had received from Arnold.

Upon this discovery, André was of course detained a close prisoner, and a messenger was despatched to head-quarters, with a report of what had taken place. André also addressed a letter to Washington, informing him that his prisoner was no less than the Adjutant-general of the British army; and earnestly desiring that he might be treated as an officer, and not as a spy. His eagerness to disclaim a character, which neither professional zeal, nor patriotic ardour can quite reconcile with that of an officer and a gentleman, too plainly showed his own sense, that the circumstances under which he had been taken fixed him with that odious responsibility. There could, indeed, be no question about the matter; and Washington, upon the admission of André himself, would have been justified by the laws and usages of war, in ordering him for instant execution. He referred the matter, however, to a board of general officers, comprising the most distinguished men in the American service; and upon André's own statements and admissions made before them, this board unanimously came to the conclusion that André was a spy, and as such, had incurred the penalty of death.

Arnold's escape.

Meanwhile, the traitor, Arnold, had effected his escape. Colonel Jameson, the militia officer to

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whose care André had been consigned, sent advices to Arnold at the same time that he apprised the Commander-in-chief of what had happened; a proceeding which Washington afterwards attributed to stupidity, but which might have been prompted by a desire to favour Arnold's escape. Arnold's quarters were situated a short distance from West Point, and only a few miles from the head-quarters of the Commander-in-chief. Two days after his interview with André, Arnold returned to his post, where he expected a visit from Washington; and, had it not been for an accidental delay of a few hours, Washington would have received Jameson's despatch in the presence of his guilty lieutenant. The bearer of the despatch had followed Washington from Morristown to Arnold's house, near West Point. On the morning of the 25th of September, Washington sent forward his two aides-de-camp to announce his intended visit in the afternoon. While the aides-de-camp were at breakfast with Arnold and his staff, the other messenger arrived with Jameson's letter. It was delivered to Arnold as he sat at table. Without shewing any symptom of perturbation, he desired that a horse might be saddled immediately, and informed the aides-de-camp that he was called away suddenly to West Point, but that he should return to meet the general in the afternoon. He then took his wife into another room, and told her in a few words that he must fly for his life. The poor lady fainted;

hurrying from her, Arnold mounted his horse, and, galloping to the river, hailed the nearest boat. He ordered the men to pull to the 'Vulture' sloop, and displayed a white handkerchief for a flag of truce. He reached the ship in safety; and, surrendering himself to the officer, had the wanton baseness to give up the boatmen who had rowed him down the river as prisoners of war.[d] On his arrival at New York, Arnold received the reward of his treachery, in the appointment of colonel in the British army, with the rank of brigadier general. He received also upwards of six thousand pounds. It is to be regretted, that such services as he had rendered were not wholly paid for in money, and that it should have been considered necessary to recompense them in part by the dishonour of the King's commission.

Efforts to save André.

On the other hand, André, whose offence, if it involved personal or professional honor at all, could not justly bear any comparison with that of Arnold, was already doomed to an infamous death. Every effort was made to save an officer, whose gallant bearing, whose youth, talents, and accomplishments, engaged the sympathy and interest of every generous spirit on both sides. Sir Henry Clinton sent a general officer, with the governor and chief justice of New York, to urge every appeal

[d] When this was reported to Sir Henry Clinton, he immediately ordered the poor men to be set at liberty.—W. Irving's *Life of Washington*, vol. v. p. 4.

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which could be made to the justice and clemency of the American commander. It was insisted that André landed under a flag of truce, and that at the time of his arrest he bore a safe-conduct under the hand of an American general. André, according to the report of his examination published by Congress, appears to have admitted that he did not land under a flag of truce. Some historians have thought it worth while to attach importance to the alleged admission of André, and to question the accuracy of the report in this particular; but whether André made the admission or not, or whether he landed under a white flag or not, appears equally immaterial; to maintain that a flag of truce, which is intended only for those communications between hostile forces which the courtesies and exigencies of civilized warfare require, can be available to cover such a transaction as that which André came avowedly to negotiate, is a mockery and an absurdity. Unless it can be contended, that the wilful abuse of a privilege is entitled to the same respect as its legitimate exercise, it is obvious that André's flag, if he carried a flag, could confer no protection. In like manner, the safe conduct which André received from Arnold was wholly invalid. A safe conduct is inviolable in the same manner as an instrument under seal is conclusive on the parties who have signed it; but if the deed has been obtained by fraud, it is void from the beginning; and a safe-conduct given by a traitor

to the agent of his treason is, by parity of argument, absolutely null.

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One only of the commissioners, deputed by Sir Henry Clinton to wait on Washington, was suffered to land: this was General Robertson, and he was referred to General Greene, the president of the board which had determined the fate of André. To Robertson's claim of the flag, Greene was content to oppose André's own disclaimer of such a protection. The English General then advanced the only arguments which were left to him. He urged the impolicy, as well as the inhumanity, of inflicting an extreme sentence in a case which was attended with so many mitigating circumstances. He dwelt upon the strong personal friendship and esteem of the British commander for the captive officer, and desired that Washington should be reminded of the clemency which Clinton had shewn to avowed spies, at the intercession of the American general. He offered to exchange André for any prisoner of war; and finally, he required that the question as to André's position might be referred to some impartial foreigners, acquainted with the principles of public law.

General Robertson.

Arnold had the effrontery to second these remonstrances, in a letter dated from the British camp; and added menaces of retaliation, if the flag of truce which he had allowed was not duly respected. The only effect of such interposition could have been that of aggravating the peril of André's situation. But the probability is,

Arnold's intemperate conduct.

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that the impudence of the renegade was treated with contempt. On the day following the interview between Robertson and Greene, the former was informed that the Commander-in-chief had determined that the law should take its course.

André's last request.

Major André himself made the last appeal to the indulgence of Washington—not indeed for his life, which he knew to be forfeited, but that he might suffer like a soldier, and not like a felon. No answer was sent to the letter containing this request; and the unfortunate man remained uncertain as to his fate, until he was conducted to the place of execution. The odious gibbet then placed death before his eyes in the only form from which his gallant heart could shrink. An exclamation of horror fell from his lips; but he immediately recovered himself, adjusted the bandage with his own hands, and desired the American officer on duty to bear witness that he met his fate like a brave man.

Ignominious burial of André.

His remains were interred like those of a felon, near the gallows upon which he suffered. Half a century after, they were too tardily removed, and perhaps too hastily enshrined in that magnificent temple, where England loves to gather the mortal reliques of her illustrious sons. I would not say, that either the fatal errand upon which André condescended to be employed, nor the previous correspondence in which he was engaged with the vilest of traitors, were, in any sense, dishonorable; but I must be permitted to doubt whether

services of this character entitle his memory to the honours of Westminster Abbey. Ch. 25. 1780

I have stated the grounds of public law, upon which the execution of André was justified. The policy and humanity of the proceeding are matters of opinion, upon which no just estimate can be formed, without a knowledge of all the circumstances which were present to the mind of Washington. It is said, that his mind was swayed by passion, and that he visited upon André the vengeance which he could not inflict on Arnold. It might have been so: but, on the other hand, it is not difficult to understand that there might have been considerations which rendered the extreme measure of justice expedient, if not absolutely necessary. The high rank of the offender, far from being a circumstance of mitigation, made the offence more flagrant. The Adjutant-general of the British army was no common spy. He went into the enemy's lines, not upon any vague purpose of observation, but with the specific object of obtaining, through treachery of the officer in charge of it, the possession of an important post, and thus determining, perhaps, the fate of the war. No man would undertake such an adventure, without the conviction that he did so at the imminent hazard of his life. Nor is it easy to conceive what valid claim to mercy could be preferred on behalf of a person detected in such an enterprise. If the stern policy of war justifies the infliction of an ignominious death, for tampering with the

Ch. 25. 1780 enemy, a stronger case than this can hardly be imagined.[e]

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[e] The justice of André's sentence has never been questioned by any competent authority; though its rigid execution has been sometimes censured as an act of unnecessary severity. Lord Stanhope, in the appendix to the seventh volume of his history, quotes a passage from the manuscript memoirs of Sir Henry Clinton, to shew that the English general did not acquiesce even in the bare justice of the sentence. The passage referred to is not very creditable to Sir Henry's candour or temper; but I do not read it in the same sense as Lord Stanhope. With a strong desire to blame the act of Washington, Sir Henry does not venture to impeach its justice, but censures it on the ground of policy and humanity. Now the execution of André was either in accordance with the laws of war; or was a violation of these laws. If it was an act of violence, why did Clinton rest the case on behalf of his officer on the low and shifting ground of policy and humanity? The English general urges, that he had frequently yielded to the intercession of Washington in favour of spies; but the case of an obscure straggler was one which might be dealt with in a manner very different from that of an officer of high rank and professional eminence engaged in a conspiracy of the most dangerous character. Precedents, however, were not wanting during this war; if precedents were required to justify extreme severity towards spies. I will mention only one. After the battle of Brooklyn, it was of importance that Washington should be informed of the movements of the enemy. A subaltern of militia volunteered as a spy; he was discovered, and by General Howe's orders was immediately hanged.—W. Irving's *Life of Washington*, vol. iv. It was natural that Clinton, in a moment of sorrow and disappointment at the loss of his friend, and the failure of an important enterprise, should give way, for the moment, to feelings of irritation; but no reliance can be placed on the judgment and fairness of a man who could describe his illustrious adversary as a person whose heart was destitute of the 'smallest spark of honour.'—App. x., Lord Stanhope's *History of England*, vol. vii. In an able paper, by Mr. Biddle, in

While the fate of André excited a sympathy, which is to be attributed mainly to circumstances of personal interest which belonged to the individual, the British commander in the Southern States, was pursuing a policy far more rigorous than Washington had adopted in the case of André, or in any other instance.

Occupation of South Carolina.

Lord Cornwallis, it will be recollected, was left in command of the army at Charleston, when Clinton returned to the north after the reduction of that place. The whole of South Carolina being in the military occupation of the King's troops, and the inhabitants apparently for the most part reconciled to their allegiance, Cornwallis prepared, in pursuance of his orders, to prosecute the war in North Carolina. On the other hand, Congress, alarmed at the rapid progress of the British arms in the south, had despatched General Gates, who, since the affair of Saratoga, had been put forward as the champion of the party opposed to Washington, to retrieve the reverses sustained by General Lincoln. The presence and name of Gates produced an immediate effect. Many of those who had been most forward in tendering their services to General Clinton, abandoned the British cause; and one Lisle, whose professions of fidelity had been rewarded with the command

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the sixth volume of *Contributions to American History, by the Historical Society of Philadelphia,* all the facts relating to the case of André are fairly reviewed, and clearly establish the justice of his sentence.

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of a battalion of militia, deserted with the whole of his brigade to the enemy.

American attack on Camden.

The British force was in cantonments at Camden, on the frontiers of South Carolina, waiting until the excessive heat of the season had abated to commence active operations. After unsuccessful attempts by a detachment to force two British posts, the whole American army, nearly seven thousand strong, advanced upon Camden. Lord Cornwallis, on being informed of this movement, hastened to assume the immediate command of his troops, which mustered no more than two thousand fighting men. A general engagement being inevitable, Cornwallis quitted his cantonments to attack the enemy at Clermont, in South Carolina, where he was encamped. Gates had already begun his march, and the advanced guards of the two armies encountered at two o'clock in the morning of the 10th of August. After some skirmishing, hostilities were suspended on both sides until the return of day.

Action at Clermont.

The position which Cornwallis had chosen prevented Gates from taking advantage of his superiority of numbers; and an indiscreet movement of the American General having exposed his columns, Cornwallis charged with such promptitude and vigour, that the raw militia which had to bear the shock of his attack were entirely broken, and fled from the field in confusion. The other divisions of the American army maintained their ground with steadiness, until at length they

gave way before an impetuous charge of cavalry, under the redoubted Colonel Tarleton. As commonly happens with half-disciplined levies, the ranks once broken could not be rallied; and the retreat of the Americans at Camden became a headlong flight. For twenty-two miles the pursuit was continued, and more than a thousand prisoners, besides baggage and artillery, fell into the hands of the English. The indefatigable Tarleton rendered the victory complete, by surprising with a handful of men, and utterly routing, Sumter's brigade of eight hundred good troops.

Colonel Tarleton.

Lord Cornwallis thought proper on this occasion, to visit the perfidy of the people of South Carolina with severe punishment. He confiscated the estates of those who had opposed the restoration of the King's authority; he banished many of the principal persons to Florida; and some, who had joined the enemy after accepting British protection, were executed. It would be difficult to defend these harsh proceedings, in regard either to justice or policy. The American insurgents, once they were admitted to the privileges of civilized warfare, could no longer be dealt with as rebels. South Carolina could at most be considered as a conquered province; and the inhabitants who had entered into engagements with their conquerors, while under military duress, came under no moral or political obligation, the breach of which could justly be punished by exile, much less by death. The effects of these

Severe treatment of South Caroline.

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ill-timed severities were to provoke measures of retaliation, and to alienate from the British cause the few who were still disposed to adhere to it.

Up to this time, the British arms had been prosperous in the southern provinces. But now fortune deserted them. Lord Cornwallis had formed a plan for the expedition into North Carolina, which seems to have been judicious. But a failure in the detail entirely disconcerted his operations; and the inveterate hostility of the people made it apparent that he must rely on a military force alone for the success of the enterprize. He, therefore, retreated into South Carolina, intending to wait until he should receive reinforcements from New York. Thus closed the American campaign of 1780; a campaign, which though not discreditable to the British arms, failed to advance the object of the war in any particular of importance.

Lord Rodney.

In the Old World, the independence of England herself was threatened, or at least her maritime ascendancy, which is only another word for her independence, by a combination of all the naval powers of Europe. At the close of the year 1779, Admiral Rodney, whose superior merit had been already recognised, was appointed to the command of a fleet destined for the West Indies. A few days after he had sailed, he captured fourteen sail of Spanish merchant ships, with their convoy; and in the following week he defeated and took prisoner Langara, the Spanish admiral,

off Cape St. Vincent, capturing four line-of-battle ships, and destroying or disabling four others. Having performed these achievements, for which he received the thanks of both Houses of Parliament, Rodney, after landing some stores at Gibraltar, proceeded to the West Indies. Admiral Digby, on his return to England with the Spanish prizes, fell in with and took a French frigate and two vessels laden with military stores. Admiral Kempenfelt had previously intercepted and dispersed a French fleet under Count de Guichen, conveying troops to the West Indies. But these successes were more than counterbalanced, by a disaster which befel the merchant fleets from the East and West Indies. These ships, to the number of nearly sixty, carrying, besides merchandize, valuable military stores, but unprotected by an adequate convoy, were captured, with nearly three thousand men, by a Spanish squadron off the Azores. This prize was carried with great exultation into Cadiz; the richest prize that had ever entered that port.

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Right of Search.

These, however, the minor fortunes of war, were comparatively of little moment. But a question of great importance in the conduct of naval warfare arose between this country and the other maritime powers. England, in conformity with the law as laid down in her Prize Courts, had always claimed and exercised the right of searching neutral ships during war. The assertion of such a right on the part of a belligerent, may

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not appear inconsistent with respect for the independence of other nations; but, on the other hand, if a neutral flag is to confer absolute protection, it would be easy for a Government, under the mask of neutrality, to render the most efficient aid to either belligerent. It was notorious that such aid was rendered, both to France and Spain, by Dutch merchant-ships, with the approval, or at least the connivance, of the government of the States. The transport service of the enemy was in fact, to a great degree, carried on in Dutch bottoms; and an angry correspondence took place between London and the Hague. At length an English commodore insisted upon searching a fleet of Dutch merchantmen, proceeding to the Mediterranean, under convoy of Count Byland, an admiral in the service of the States-General. This certainly was an extreme case. Byland fired upon the English boats, and poured a broadside into the ship which bore the Commodore's broad pennant. The Commodore having replied, the Dutchman was forced to strike; and his flag ship, with seven sail of merchantmen were made prizes. These ships were laden with military stores, intended no doubt for the use of the allied fleets. This affair, after much correspondence, resulted in a rupture between the two courts. The act of Commodore Fielding far exceeded any claim which a belligerent can be suffered to prefer against a neutral power. A right of search can never be made to extend to ships under the immediate pro-

tection of a man of war; and an attempt to enforce it under such circumstances, is an insult to the flag so challenged.

Russian manifesto.

The Baltic powers regarded with extreme jealousy the pretensions put forward by Great Britain. The Empress of Russia was resolved not to submit to them; and she took the earliest opportunity of making known her will. Two Russian vessels, conveying corn to Gibraltar, having been seized by a Spanish cruiser, the Empress instantly demanded, and obtained an ample reparation from the Court of Madrid. And, to guard against the recurrence of a similar aggression, she framed a declaration, laying down certain rules of maritime law, wholly at variance with the doctrines set up and acted upon by this country. The Russian manifesto, which was addressed to the Courts of London, Versailles, and Madrid, announced that free ships made free goods; that consequently they must be exempt from search; that no articles were to be considered contraband of war, except those which were so described by positive treaty; and finally, that no blockade could be recognized, unless it was strictly and efficiently enforced.[f]

These articles formed the basis of the famous

[f] The principal provisions of the Treaty are in the following terms:—'1st. That all neutral vessels shall be permitted to navigate from port to port, and on the coasts of the belligerent powers. 2nd. That the effects belonging to subjects of the belligerent powers shall be free on board neuter ships and vessels, excepting only such articles as are stipulated to be deemed con-

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treaty, called the Armed Neutrality, to which the several Baltic powers were immediate parties, and the object of which was, to resist the maritime rights asserted by Great Britain. The influence of the King of Prussia at the Court of St. Petersburg had mainly contributed to this formidable league; which, under a general title, was really aimed at the naval ascendancy of Great Britain. Holland and Prussia acceded to the League; while France and Spain declared their adhesion to its principles.

War declared against Holland.

Before the end of the year, the English government was forced to declare war against Holland. An American packet ship had been captured by a British cruiser off the coast of Newfoundland. Among the passengers in this ship was Mr. Laurens, late President of Congress, on a mission to conclude a treaty with the Government of the States-General. The papers taken from the pos-

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traband. 3rd. In order to determine what is to be considered as a port blocked up, it is hereby declared that that port shall only be deemed as such, into which no ships can enter without being exposed to an evident peril from the forces that attack the said fort, and the ships that shall have taken a station near enough for that purpose. 4th. That neuter vessels shall only be liable to be stopped and seized for just and cogent reasons, and upon the most convincing proofs that justice shall be done unto them without loss of time, and that the proceedings shall always be uniform, speedy, and according to the laws; and that whenever any shall be found to have been stopped, or suffered any damage, without sufficient cause, they shall not only be entitled to a sufficient compensation, but also to a complete satisfaction for the insult offered to the flag of their Majesties.

session of Laurens, contained not only his credentials, but also disclosed the fact of a secret treaty of friendship and commerce having been executed between the representatives of Congress, and the Pensionary of Amsterdam, on behalf of the States-General, two years before. The English Ambassador at the Hague was instructed to demand a disavowal of this treaty; a disavowal, which it was competent to the Dutch Government to make; inasmuch as the constitution of the Republic required the concurrence of all the States to any treaty engagement. No answer having been returned, a Declaration of War was promulgated in London, in the following week.

Thus was England left, without a single ally, to encounter the forces of France, Spain, and Holland; while her revolted provinces were now in the fifth year of a rebellion, which, as it had not been anywhere suppressed, was up to this time successful. And, instead of an administration able to cope with these accumulating difficulties, the counsels of the nation were directed by men neither able nor willing to face responsibility. The energy and warlike spirit of the country went far, however, to supply the deficiency of its rulers. The pressure of taxation was patiently borne. Recruits came forward to fill the ranks of the army; ships were manned almost as soon as they were put into commission; even the weak and sinking ministry itself, revived by these patriotic demonstrations, was hardly wanting in suitable efforts to

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give effect to the national will. Nevertheless a change in public opinion, was plainly visible with regard to the American War. Many who had insisted on suppressing the insolence of the Colonists, were now prepared to relinquish the unprofitable contest; while others were desirous that our domestic quarrels should be terminated, in order that we might be able to employ the whole power and resources of the empire against her foreign enemies.

The general election which took place in the autumn of this year, though necessarily favourable to the court, showed, in many places where freedom of choice was practicable, a tendency to oppose the system of government by corruption; but, on the whole, the constituencies failed to support the movement which the Whig party had attempted to organize throughout the counties in the preceding year. The Westminster electors on this occasion took the lead, which they maintained for many years, in asserting what are now called liberal principles. Fox was selected as their champion of civil rights; and Rodney was the candidate put forward, in his absence, to testify their sympathy with the war. Fox and Rodney were returned by a considerable majority over the court candidates. But this success was more than counterbalanced by the selfishness and bigotry of the people of Bristol, who rejected Burke because he was favourable to the removal of restrictions upon religion and commerce.

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The new Parliament assembled in November; and a trial of party strength immediately took place in the election of Speaker. The Government, departing from the usual practice, proposed a new candidate for the chair. It was well known, that if Sir Fletcher Norton were re-elected, it must be by the independent choice of the House of Commons, in spite of the determined opposition of the court and the ministry. The language of the late speaker, on presenting the Civil List Bill in 1777, was not to be forgiven; and the opportunity of retaliating the affront which, on that occasion, he offered to the king, had been patiently expected. It was not enough that Norton should be set aside; but this must be done in such a manner as to mark the indignity put upon him. No intimation was given him, that the Government intended to name a new speaker. Lord George Germaine, in proposing Mr. Cornwall, described the qualifications for the office, and mentioned those especially in which Sir Fletcher Norton had always been considered wanting. Welbore Ellis, in seconding the motion, was still more pointed in allusion to the deficiencies of the late speaker, when he particularised, 'temper to allay heats, prudence to prevent irregularities, and spirit and firmness to repress the rising storms of passion and contest.' Sir Fletcher Norton was proposed by Dunning, and supported by Fox and other members of the opposition, who did not scruple to declare, that the real reason for this

Contest for Speaker.

Sir F. Norton.

Mr. Cornwall.

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extraordinary proceeding, was a desire to disgrace the man whom the late Parliament had honoured; and on the motion of Fox, the vote of thanks to the late speaker on the occasion referred to, was read by the clerk at the table. Norton himself spoke with great bitterness, and with an utter absence of the dignity and forbearance which a man with any elevation of mind, or even of self-respect, would have carefully observed in such a situation. He desired to know why he was disgracefully dismissed? He spoke with scorn of the flimsy pretence put forward by the Government, that his health was not equal to the arduous duties of the chair, and plainly intimated the real motive of the treatment which he had received.

Majority for Cornwall.

On the division, the numbers were, for Mr. Cornwall, two hundred and three; for Sir Fletcher Norton, one hundred and thirty-four.

The Opposition could hardly have selected a less favourable ground for testing their strength in the new Parliament. Sir Fletcher Norton's conduct in the chair, had not been such as to command the respect of the House. He had few, if any, of the qualities which are requisite to moderate the debates of a popular assembly. He had an ordinary knowledge of the forms of business; but his authority was often disputed, and his want of dignity frequently involved him in personal altercations with members. He was sometimes openly charged with partiality, and not without reason. His celebrated speech to

the throne, on presenting the extraordinary Supply Bill of 1777, which, from the lips of a speaker equal to the chair, would have been considered worthy of the best days of Parliament, was generally regarded as an ebullition of spiteful petulance, when uttered by Sir Fletcher Norton. His latest exhibition, when he attacked Lord North with the rage of a disappointed place-seeker,[g] was sufficient to justify the Government in declining to recommend him for re-election; and had they not neglected the common courtesy of apprizing him that they intended to support the nomination of a new candidate, no blame could fairly have attached to their conduct in this proceeding.

Altered tone of Government.

The Royal Speech, like its predecessors for the last four years, was warlike; but the tone of arrogant defiance towards the Americans, which had pervaded these papers since the commencement of the colonial contest, was much mitigated. The successes of Georgia and Charlestown were referred to in terms of moderation; and the conflict, which had previously been styled a rebellion, was now, for the first time, recognized as 'a war'. An amendment to the Address, adverse to the farther prosecution of hostilities in America, was, as usual, moved by the Opposition; but the Address was carried by a majority of nearly two to one.

These numbers seemed to show that the New

[g] Vol. ii. p. 448.

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Parliament was disposed to follow the example of the old, in supporting the King's Government. The business of the autumnal session, which consisted chiefly in voting the great services, was, therefore, suffered to pass without material opposition. An attempt was made to provoke a conflict with the ministry, by proposing a vote of thanks to Sir Fletcher Norton for his conduct in the chair. It would have been quite competent to the Government to have resisted the motion on the ground of precedent; this being the first occasion on which a new Parliament had been invited to pronounce an opinion on the merits and services of a speaker who had not presided over its deliberations. This difficulty was urged by several members, and admitted by the mover. But Lord North declined a contest, and the only member of the administration who opposed the motion, was Rigby; whose opposition would have been more likely to recommend it, than the contrary. The vote was passed by a majority of forty in a thin House.

Proposal of thanks to Lord Cornwallis.

Another proposal of thanks to Lord Cornwallis, moved likewise by a member unconnected with the Government, afforded an opportunity for the often repeated invectives against the American war. But Lord North, weary of his office, weary of the war, and agreeing with its opponents, was content to rest upon his majority, and said little in defence of a policy, of which he was a reluctant advocate. The appointment of Sir Hugh Palliser

as Governor of Greenwich Hospital, gave rise to a fierce attack on Lord Sandwich, for an improper exercise of patronage, and also to a renewed exhibition of personal animosity between Palliser and Keppel. A remarkable example of the good effect produced by the publication of the debates occurred, during this discussion. Fox, with his usual intemperance of language, was censuring the appointment of Palliser, when Lord Nugent called him to order, and spoke of the contempt into which the late Parliament had fallen, in consequence of the violence and personality of its debates. He reminded the House that every thing said within its walls was translated and read by every foreigner, as well as native, who could get a common newspaper. I have already described the language which was habitually used in party conflict; but, soon after the publication of the debates, an improvement in the tone and temper of discussion became perceptible. The coarseness of the age for a long time tolerated a license of speech which would be revolting to the present generation; but members had already almost ceased to denounce each other as knaves and fools, when they differed in debate.

Re-assembling of Parliament.

On the re-assembling of Parliament after the Christmas recess, the papers relative to the breach with Holland were laid on the tables of both Houses; and the usual message from the Crown was brought down to the Commons. The conduct of the Dutch had been so plainly marked by

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Conduct of the Dutch.

treachery and faction, as to leave the Government of this country no alternative. The Opposition, indeed, taunted the Ministry with making enemies and losing allies; but no serious objection could be urged either against the war, or the manifesto by which it was justified. The appointment of Sir Hugh Palliser to be Governor of Greenwich Hospital appeared, however, to Fox and his friends, an event of sufficient importance to justify the proposal of a vote of censure on the advisers of the Crown. The court-martial which had tried Keppel on the prosecution of Palliser, in acquitting the prisoner, had pronounced the charges unfounded and malicious. Upon this finding, Fox founded his motion, that the appointment of Palliser to Greenwich Hospital 'was a measure totally subversive of the discipline and derogatory to the honour of the navy.' The appointment was certainly one which ought not to have been made; but it does not follow, that it was a fit subject for parliamentary censure. The practice of reviewing the nominations to employments under the Crown, is one of those salutary checks upon prerogative which guard against its abuse, and prevent the conflict of opposite elements in the constitution. According to modern usage, the censure of the House of Commons upon the exercise of patronage in any particular instance would be followed, as a matter of course, by the resignation of the ministers. It is obvious, therefore, that a practice so anomalous should be re-

sorted to only on very grave occasions; and that the result of a too frequent or indiscriminate criticism on the exercise of its functions by the Executive, would be either the virtual transfer of those functions to a body which experience has amply shewn to be utterly unfitted for their performance, or that the censure of the House would cease to carry any weight. Such a fate as that last referred to may be said to have already befallen one of its most important proceedings—I mean the proceeding by *Resolution*, which is fast sinking into ridicule and contempt.

Objection to Palliser.

The appointment of Palliser, however objectionable, furnished no sufficient ground for the interference of the House of Commons. He had been tried by court-martial for breaches of professional duty, and acquitted: he had been censured by another court-martial charged to inquire, not into his conduct, but into the conduct of his commanding officer, of whom he was the accuser; the censure thus pronounced was neither a finding after due inquiry, nor within the obligations of their oath. An opinion so delivered in the course of any civil or criminal proceeding before the ordinary tribunals would have no legal efficacy. Yet it was the extra-judicial opinion of a court-martial, which conducts its proceedings in an arbitrary manner, and is only recognized by the constitution as an occasional or anomalous tribunal, that the Whigs desired the House of Commons to adopt as absolutely binding and conclusive. The motion

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was, of course, rejected by the majority which the ministers could still command; but, in this case, the argument and the vote were, by an unusual coincidence in the earlier Parliaments of George the Third, upon the same side.

Object of Burke's Bill.

The most remarkable debate of the Session was that which took place on the second reading of Burke's bill for the regulation of the Civil List. The object of this bill was to give effect to the celebrated resolutions of the 6th of April, 1780, that the influence of the Crown had increased, and ought to be diminished. This bill was resisted by the Government, on the ground that it proposed a violation of the compact by which the Crown exchanged its hereditary revenues for a fixed annuity. This objection might have been entitled to some weight, if the Crown had adhered to its own part of the bargain. But the debts of the Civil List had been twice paid, and a large permanent addition had been made to its revenues by Parliament during the present reign. The country had, therefore, a right to propose an arrangement by which the recurrence of such demands might be obviated, even if the whole of the Civil List had been placed at the absolute disposal of the Sovereign. But a large proportion of this fund was charged with the support of the public service; and it was with this portion alone that the bill proposed to deal. The promoters of the measure desired to abate neither the due magnificence of the Court, nor to infringe

the faith of Parliament; they only required that the foul stream of patronage which polluted the House of Commons should not be fed from the resources of the country. Burke complained with truth, that the House, though willing to vote abstract resolutions, shrank from any practical application of the principles they approved. The bill was rejected on the second reading by a majority of forty-three in a full house. This result was, no doubt, produced mainly by the intrigues of the Court; but the injudicious proceedings of the popular party had, to some extent, diminished the supporters of the policy inaugurated by Dunning's resolutions. The meetings of the freeholders in their county halls were authentic expressions of public opinion: the language in which they described their grievances and demanded redress, though strong and resolute, was not more strong and resolute than their fathers had used aforetime; but the attempt to organize Corresponding Associations on the American model gave great offence; and many sincere friends of free institutions held aloof from a movement which seemed designed to set up an intermediate body between the people and the House of Commons.

Debate on Burke's Bill.

The debate on the second reading of the Bill, was remarkable for the first speech of William Pitt. The name which he bore, together with the academic reputation which he brought with him into the House of Commons, had raised expecta-

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tion to the highest pitch; and, probably no young man ever addressed the House of Commons for the first time under circumstances at once so encouraging and so formidable. The mute attention of an assembly, which, however prone to political error, is always correct in its estimate of oratorical pretension, is a trial which few men of any sensibility encounter without trepidation. Still, it is no very difficult task for a young man of fair abilities to write a tolerable political essay, to get it by rote, and to deliver it in an agreeable manner, from a back bench of the House of Commons. Every session produces exhibitions of this character, more or less removed from mediocrity. But the first exhibition of Mr. Pitt at once attained to excellence. As a prepared speech, though not free from the antithetical style and balanced periods of a youthful orator, its composition was far above an average; but it rarely happens, that a speaker who addresses the House for the first time, ventures to plunge into the debate, and answer the arguments of members who have taken prominent parts in the discussion. The art of debating, which leads to the highest political stations in this country, is seldom acquired, even by men of great ability, without years of painful and persevering practice. Great therefore was the admiration excited by a young man of one and twenty, who, on his first appearance, shewed himself a proficient in an art so rare and so highly prized. His tall spare figure, though deficient in grace and come-

liness, had already an air of dignity and command. A fine sonorous voice completely filled the House, and gave effect to the long imposing periods which rolled forth with unbroken fluency. The sentiments which he uttered, in these early days at least, were worthy of the son of Chatham. He said, that the ministers of the Crown should have come forward, and, by proposing retrenchment, have at once shewn that the sovereign was willing to participate in the privations of his people, and thus have spared the House of Commons the ungracious task of retrenching the superfluous magnificence of royalty. It was, he said, the immediate duty of the House to guard the lives, the liberties, and the property of the people. The last obligation was the strongest; it was more immediately incumbent upon them to guard their properties, because they were more liable to invasion by the secret and subtle attacks of influence, than either their lives or liberties. The tutelage of the House might be a harsh term, but the guardianship of the House could not be disgraceful to a constitutional king. An argument which had been used in the debate by the courtiers, was thus felicitously disposed of. 'But it had been said, that the saving was immaterial; it was a matter of trifling consideration, when measured by the necessities or expenses of the time. It proposed to bring no more than £200,000 a year into the public coffers; and that sum was insignificant in the public account, compared with the millions which

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we spend. This was surely the most singular and unaccountable species of reasoning that was ever attempted in any assembly. The calamities of the crisis were too great to be benefitted by economy; our expenses were so enormous, that it was ridiculous to attend to little matters of account. We have spent so many millions, that thousands are beneath our consideration. We were obliged to spend so much, that it was foolish to think of saving any. This was the language of the day; and it was by such reasoning that the principle of the bill had been disputed.' He then went on with singular clearness and cogency, to expose the futility of the pretence, that Parliament was precluded from re-opening the question of the Civil List by the settlement which had been made on the demise of the Crown.[h] The promise of Parliamentary excellence displayed in this remarkable speech was amply fulfilled; not so the hope which it held out, that the cause of economical government had acquired a powerful friend.

[h] *Parl. Debates*, 1780.

CHAPTER XXVI.

SIEGE OF GIBRALTAR — CAPTURE OF ST. EUSTATIA — REVERSES OF THE AMERICANS — INVASION OF NORTH CAROLINA BY CORNWALLIS — RETREAT OF CORNWALLIS AND CAPITULATION OF YORK TOWN — RESIGNATION OF THE MINISTRY — NEW ADMINISTRATION — CONDITION OF IRELAND — BURKE'S ECONOMICAL REFORM — PITT'S MOTION FOR PARLIAMENTARY REFORM — DEATH OF LORD ROCKINGHAM — LORD SHELBURNE FIRST MINISTER — RESIGNATION OF FOX AND HIS FRIENDS.

1781

THE alliance between France and Spain, notwithstanding the family ties which connected the two Courts, was by no means of a cordial character; and the cause of American independence was highly distasteful to the proudest monarchy in Europe. The failure of the great naval armament which had been fitted out for the invasion of England, and the want of co-operation between the Spanish and French commanders, had rendered the Court of Madrid unwilling to prosecute the war. Accordingly, in the spring of 1780, overtures for a separate peace were made by the Spanish Government; but when it appeared, that the basis of the proposed treaty was to be the cession of Gibraltar, this condition was peremptorily negatived by the ministry of his

Alliance between France and Spain.

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1781

Attack on Jersey.

Hostilities were resumed at the beginning of 1781, by a descent of the French on the island of Jersey. A few hundred men having effected a landing, marched to St. Helier's and surprised the Lieutenant-governor, Corbet, from whom the French officer in command obtained a paper, purporting to be a capitulation. Major Pearson, however, a young officer in command of a small British garrison, treated the document with contempt, and mustering his troops, attacked the invaders, and forced them to lay down their arms. Pearson did not survive to obtain the reward of his loyal and gallant conduct. He fell in the moment of victory. Corbet, who so shamefully betrayed his trust, was by a mild sentence left in the possession of a dishonoured life, and only dismissed from his office.

Gallant conduct of Major Pearson.

Meanwhile, the siege of Gibraltar had been vigorously prosecuted by the Spanish. The commodious harbours of Tangier, Tetuan, and Laroche on the opposite coast, afforded shelter for their fleets, and formed a base for their naval operations. These ports had, in the first instance, been offered by the Emperor of Morocco to Great Britain; but the strange supineness of the Government had refused or neglected this offer, and a position of the greatest importance to the defence of Gibraltar was thus abandoned to the enemy. But the superior prowess of the British navy repaired the

gross and wanton negligence of the British Government. Every effort on the part of the Spaniards to establish a blockade, was frustrated by the British commanders. The garrison of Gibraltar, though for a time subjected to severe privation, was at length relieved, and the supplies from England were landed without interruption. The siege was pressed both by sea and land; but such was the natural strength of the place, and such the resources and activity of General Elliot, that though an incessant cannonade was kept up for seven weeks, both from batteries and gun boats, no lasting impression was made upon the fortifications; and the amount of killed and wounded on the side of the besieged did not exceed seventy. At length a well-planned sortie, drove the enemy from their lines, destroyed many of their most formidable works, disabled their guns, and blew up their magazines.

French and Spanish Fleets in the Channel.

The combined fleets of France and Spain, after an ineffectual attempt on the island of Minorca, again threatened the coast of England. But this insult, like that of the preceding year, ended in an empty demonstration. The English admiral, Darby, with an inferior force, did not attempt to drive the enemy out of the Channel; but retired into Torbay with twenty-one sail of the line, prepared to resist an attack, though declining to assume the offensive. The French and Spanish commanders were still unable to agree in any plan of action, and, after cruising in the Channel

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for some weeks, the combined fleets returned to their respective ports.

The Dutch, however, sustained their ancient reputation as a naval power. An obstinate engagement took place between a British fleet under Hyde Parker, and a Dutch squadron under Zoutman, off the Dögger Bank, in which neither side obtained a decisive advantage.

St. Eustatia taken by Rodney.

The capture of St. Eustatia by Admiral Rodney was the first consequence of the declaration of war between Great Britain and the States-General. This island, one of the Leeward group, had long been the resort of trading adventurers of all nations, and had lately been used, not only as a depôt for the commerce of the American colonies, but as a harbour for their armed cruisers. The island, incapable of making any resistance, was surrendered at the first summons; and a vast amount of treasure, together with a fleet of armed ships as well as merchantmen, rewarded the promptitude of the English admiral. A large proportion of this prize, however, belonged to British merchants; and those men, though avowedly engaged in a lucrative traffic with the enemy,[a]

[a] See the Memorials of the West India Planters to Admiral Rodney and the King. In the latter, they claim for the Dutch West India Islands the character of free ports, 'where goods are ready to be sold to the best bidder, without favour or affection, without any partial or political attachment or predilection to any of the powers at war, and without regard to any other object than that of commercial profit.' Rodney replied with stern

had the assurance to demand restitution and satisfaction from the British Government. Yet such was their sympathy with the Americans, and such the rage of faction, that the Opposition in Parliament took up this unworthy cause with a warmth and vehemence, as if the law of nations, as well as justice and humanity, had been signally outraged. Burke, with the intemperance and defamatory license which were characteristic of his advocacy, described Eustatia as a new Tyre, which, by its industry and commercial enterprise, had distributed the comforts and necessaries of life to all countries and climates. This free and flourishing settlement, engaged in pursuits so beneficial to the human race, had been cruelly and wantonly dispersed, its property confiscated, and the inhabitants reduced to beggary. Loyal Americans, who had sought this retreat to avoid complicity in the rebellious enterprises of their countrymen; Jews, who were peacefully engaged in their vocation of making money; people of all nations had been stripped of their property, and expelled the island. And all this was done to enrich the military and naval commanders who, from cowardice and cupidity, had declined enterprises which might have been attended with danger, and

Burke's speech.

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brevity, that the 'Island of St. Eustatia was Dutch; everything in it was Dutch, and everything was under the protection of the Dutch flag; and as Dutch it shall be treated.'—*Remembrancer*, 1781, pp. 297 and 318.

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could not be productive of profit, to seize a possession so eminently entitled to exemption from the horrors of war.

Fox and other Whigs of inferior note followed in a similar strain. But it fortunately happened, that both Rodney and his military colleague, General Vaughan, were members of the House of Commons. The plain tale of these brave officers soon put down the romance which factious oratory had invented. The Admiral said that he attacked Eustatia as the principal source from which the enemy drew supplies; that the Englishmen on the island were engaged in this shameful trade; that the Americans were agents of the insurgent colonists, and called themselves loyalists to escape the fate of rebels. A few words sufficed to cast aside the base suggestion, that pecuniary interest, rather than public duty, had determined his conduct. Vaughan declared, upon his honour, that the capture of St. Eustatia had not put a shilling into his pocket. He justified his conduct by the laws of war, with which alone he was concerned. His dry statement of facts, with respect to the case of the Jews, covered the rhetorical flourishes of Burke with deserved ridicule. These people, he said, had been removed to St. Thomas's by their own desire, their property had been restored to them; and he produced an address from their synagogue, expressive of their satisfaction at the treatment they had received.

After the capture of St. Eustatia, papers shew-

ing, conclusively, that the English merchants who complained so loudly of their wrongs had been engaged in illegal traffic with the rebellious colonies, came into the possession of Rodney. These documents he forwarded to the Secretary of State, in whose office they were afterwards lost. Actions for damages were consequently brought against the Admiral by the English traders; and, in the absence of the evidence which Rodney had placed in the hands of the Government, he was cast in large damages. He was subsequently indemnified by the Government; but for some time it was very doubtful whether he would not be ruined in his private fortune by the conscientious discharge of his public duty.

Ch. 26. 1781 Illegal traffic.

Yet the conquest of this island, which, according to Rodney, 'had done England more harm than all the arms of her most potent enemies,' instead of redounding to the advantage of this country, became, through a series of mismanagement and mischances, a positive benefit to the enemy. A large proportion of the stores which could not be removed were disposed of by a forced sale to the subjects of neutral powers, and thus found their way to France and America, on easier terms than they could have been obtained from the rapacious traders from whom they had been taken. Another portion of the treasure was taken by a French squadron on its way home; and, finally, the island itself, a few months afterwards, was surrendered to the French by the pusillani-

Bad results of the capture.

Ch. 26. mity of Colonel Cockburn, the English commandant.

1781

Success of the British.

At the close of the sixth year of the war, the prospect of American independence seemed more remote than ever. The British still retained possession of New York. They had captured Charlestown, the most important post in the southern provinces. They had defeated the federal army in a pitched battle at Camden. A mutiny had broken out at head-quarters among the continental troops under the eye of Washington himself. The French alliance, which the Americans had so eagerly sought, had proved worse than valueless. The great Congress had sunk into inaction and contempt; the people, wearied of the protracted warfare, were, for the most part, willing to relinquish the unequal struggle. But just at the moment when the cause seemed desperate, it was on the eve of a final and conclusive triumph.

Mutiny at Morristown.

On the first day of the year 1781, the Pennsylvanian contingent quartered at Morristown turned out, declaring they would serve no longer without pay, clothing, or provisions. Four officers were wounded and one was killed, in the attempt to make the men return to their duty. The whole regiment, of one thousand three hundred strong, then collected all their artillery and baggage, and marched out of their quarters, having appointed a non-commissioned officer their leader, with the rank of major-general. They halted at Princeton. There they were waited upon by a deputation

from Congress, promising redress and proposing terms. They also received two emissaries from the British Commander-in-chief, offering them the protection of the British Government, and the full pay due to them by Congress, if they would return to their allegiance. But these men were neither traitors nor mercenaries. They had mutinied to obtain their rights and the common necessaries of life, which had been withheld from them by the supineness or bad faith of the Central Government. To the advances of the English general, they replied, that they were not *Arnolds*,[b] and they gave up his emissaries to their general, Wayne, by whom those unfortunate men were immediately hanged as spies. In the end, the men who had served their time were permitted to return home; and the others, having had their reasonable demands satisfied, returned to their duty. The New Jersey regiment having threatened to mutiny, for the same reasons as the Pennsylvanians, were reduced to obedience by similar concessions.

Defence of New York.

The defence of New York, still menaced by Washington, occupied the mind of the Commander-in-chief, and rendered it impossible to concentrate a sufficient force for the reconquest of the southern provinces. Dissensions sprung up between Clinton and Cornwallis; and the plans of the latter were either thwarted or disapproved

[b] Adolphus's *History*, vol. iii. p. 265.

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by his superior officer. The incapable Gates, on the other side, had been superseded in the Carolina command. His successor was Greene, one of those self-educated soldiers, whose natural intelligence and sagacity opened resources which mere military training cannot supply. He had been bred a quaker, and had earned his livelihood as a working blacksmith. But when the War of Independence broke out, he set aside the pacific tenets in which he had been brought up, and, quitting his forge, took up arms in his country's cause. So highly were his character and abilities esteemed, that in the second year of the War, Greene was appointed by the Assembly of Rhode Island, his native state, to the command of the force which they contributed to the national army. He had always served with credit throughout the war, but had no opportunity of distinction, until he was sent to retrieve the fortunes of his country in a district where the issue of the struggle was to be decided.

Affairs in Carolina.

When General Greene arrived at his headquarters, he found the army of the south reduced to two thousand three hundred men, without artillery, baggage, or stores, all of which had been lost or abandoned in the disastrous retreat from Camden. This skeleton of a beaten army, half of which consisted of raw militia, was in the presence of an enemy flushed with a series of victories, and comprising upwards of five thousand disciplined troops, besides a numerous militia.

Greene was not dispirited by these unfavourable circumstances. While he used every effort to recruit and equip his forces, he took immediate measures to prevent the invasion of North Carolina. He sent a small detachment under General Morgan to menace the British post at Ninety-six, on the western side of South Carolina; and with the remainder of his little army, he undertook to occupy the country before Camden.

Action at Cowpens.

Tarleton was despatched with a thousand picked men, including three hundred horse, to intercept the movement of Morgan. After a long march, he came up with the American brigadier at a place called the Cowpens. Morgan had, by this time, augmented his infantry, until they amounted to a thousand militia, five hundred regulars, three hundred sharpshooters, and a hundred horse. Tarleton, attacking with his usual impetuosity, forced the first and second lines of the enemy, consisting of militia; but, through the misconduct of the cavalry, in failing to advance at the critical moment, the Americans had time to rally; and, charging the exhausted ranks of the British in their turn, quickly put them to the rout. Seven hundred of the English were either slain or taken. The cavalry were able to make their escape; but Tarleton, with a handful of dragoons, barely succeeded in cutting his way through the enemy. This was the first reverse which the King's troops had sustained in Carolina; and its moral effect on the wavering temper and sinking hopes of the

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Carolinians, was very important. There was no longer want of confidence in the fortunes of the Republic.

Notwithstanding the disaster of the Cowpens, Cornwallis did not desist from his purpose of invading North Carolina. His first effort was to recover the prisoners taken by Morgan; but after forced marches of more than a hundred miles, during which his troops endured the greatest hardships and privations, he found that Greene had effected a junction with Morgan, and retreated upon the territory of Virginia. Cornwallis slowly returned, with an army reduced by fatigue and want. He had abandoned his baggage in the vain pursuit of the American brigadier, and when he reached Hillsborough, he was obliged to reveal his destitute condition, by issuing a proclamation, inviting the loyalists to repair to his camp with ten days' provisions. Of those who obeyed this summons, the greater part withdrew, on seeing the desperate state of the British army. Greene immediately crossed into North Carolina, to counteract the effect of this proclamation. A small body of loyalists was intercepted by one of Greene's detachments, and put to the sword. This act of rigour, dictated by a relentless policy, had its effect, in deterring those who were still well inclined to the royal cause. The appearance of the enemy in North Carolina, threatening, as it did, his supplies, forced Cornwallis to retreat. The Americans

pressed upon his rear, and being now superior in numbers, took advantage of a favourable position to offer him battle. The engagement took place near Guildford Court House; and British discipline, as usual, obtained the advantage over numbers of inferior troops. But Cornwallis and his handful of brave soldiers, gained only the honour of victory. The result was equivalent to a defeat. He lost one-third of his force; and, far from attempting to pursue the broken and flying columns of the enemy, he was obliged to abandon his own wounded to their humanity. He continued to retreat, until at length he quitted Carolina, and fell back into the state of Virginia.[c] Ch. 26. 1781

Lord Rawdon, likewise, though he defeated Greene, in an action before Camden, was unable to retain that position, and retreated to Charlestown, the only post which the British now retained in South Carolina. Lord Rawdon.

The difficulty of conducting military operations over a vast extent of country, and in the face of scattered bodies of the enemy, was greatly augmented by the shameful dissensions between General Clinton and Lord Cornwallis. While the Commander-in-chief was intent on the preservation of New York and the reduction of the northern provinces, his lieutenant formed his plans exclusively with regard to the campaign in the south. Clinton proposed, that the force

[c] Adolphus, vol. iii. p. 268.

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in Carolina should draw to a head in Virginia, with the object of co-operating with him on the Chesapeake. Cornwallis expected to be reinforced in Carolina, that he might accomplish his object of re-establishing the royal authority throughout that province; and each commander pursued his own plan, without reference to the exigencies of his coadjutor. Early in the year Sir Henry Clinton had sent Arnold to take possession of Portsmouth, and to destroy the forts on the river Elizabeth. This duty had been performed by Arnold with his usual vigour; and General Phillips was afterwards sent with a thousand men to the support of Arnold, who was threatened by a large detachment under Lafayette. Thus the British force, reduced in numbers, and hardly adequate to the prosecution of the two important enterprizes in which it was engaged, was dissipated in a third undertaking, which, under the plausible name of a diversion, was really a new campaign.

Lord Cornwallis, finding himself unsupported in Carolina, and closely pressed by General Greene, had, as we have stated, retired into Virginia. No sooner had he arrived there, and marched in pursuit of Lafayette, than orders arrived from head quarters to send back the troops from Virginia; or to employ them in a new diversion on the Chesapeake and the Susquehanna. As Cornwallis did not approve of the latter plan, he adopted the alternative of returning the detachments to New

York. Cornwallis then repassed James' river, and returned to Portsmouth, where, in a few days he received a despatch from Clinton, disapproving of what he had done; desiring him to retain the detachments, and fortify himself either at Old Point Comfort or at York Town. Pursuant to these instructions, Cornwallis, having surveyed Point Comfort, and found it untenable, took possession of York Town and Gloucester, two small villages respectively on the south and north banks of the river York, which up to this point is navigable for ships of war. He proceeded immediately to throw up works; but, even if the English fleet could maintain the superiority at sea, he could hardly hold out long with a force of seven thousand men against a besieging army already numbering eighteen thousand good troops. On the 16th of September, Cornwallis wrote to Clinton, fully informing him of his perilous position. On the twenty-eighth of the month, the allied army of French and Americans appeared before York Town; and on the following day, Lord Cornwallis received a despatch from Sir Henry Clinton, with the welcome intelligence that a reinforcent of five thousand troops with twenty-three sail of the line would leave New York for York Town in a few days. Ch. 26. 1781

Relying on this promise, Cornwallis made no attempt to impede the advance of the allies; and even suffered Lafayette, who lay a few miles off with an inferior force, to remain unmolested. He Lafayette.

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preferred retiring behind the works of York Town, and protracting the siege until the arrival of his reinforcements, to reducing his strength by an engagement in which he might not obtain a victory without considerable loss.

The siege was prosecuted with the utmost vigour, under the direction of Washington himself. On the 15th of October, the works were entirely destroyed, and the succours which were to have left New York ten days before, had not yet arrived. For a few days longer, the enemy were repulsed by repeated sorties. Cornwallis, having written to Clinton, that his position was no longer tenable, and that reinforcements would be too late to save him, endeavoured to evacuate the place the same night; but his attempt to transport the troops across the river was frustrated by a storm. The next day, Earl Cornwallis surrendered to General Washington. On the same day, the reinforcements destined for the relief of York Town, sailed from the Hudson.

Surrender of York Town.

The garrison were permitted the usual honors of war; the painful ceremony was conducted on the part of the Americans, with the same magnanimous forbearance, which added the brightest laurel to the glory of Saratoga. No camp follower or gazer was permitted to witness the humiliation of the British flag on that eventful day. His Majesty's troops marched out with beat of drum, and laid down their arms without a word or a gesture of triumph from the American

ranks. The English officers, however, failed to reciprocate the courtesy of their captors. They passed through the American lines with haughty contempt; but every French officer received the military salute, of which the American commanders, even those of the highest rank were considered unworthy.[d]

Nearly six thousand men, with all their arms, artillery, and stores, were given up to the Americans. The ships in the river, consisting of three men of war, and several transports, were surrendered to the French Admiral de Grasse.

Cornwallis afterwards complained that he had not received adequate support from the Commander-in-chief; and, apparently not without cause. The delay in sending the reinforcements to York Town, after the urgent representations of Cornwallis and Clinton's positive promise, has never been satisfactorily explained. The excuse put forth on behalf of Sir Henry Clinton[e] is, that he was deceived by Admiral Hood, as to the strength of the French fleet. But Sir Henry Clinton has himself recorded, that when the question of relieving York Town was discussed in the Council of war, the officers of the fleet were of opinion that the French squadron would be unable, from the nature of the channel, to prevent the passage of the transports, though convoyed by an

[d] MAHON'S *History*, vol. vii. p. 123.

[e] ADOLPHUS'S *History*, vol. iii. p. 28.

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inferior force. And, on the strength of this opinion mainly, it was determined that Cornwallis should be instructed to hold the place.[f] It was admitted, that with adequate reinforcements, York Town could be defended on the land side; and, though the French were superior to the English, in ships and weight of metal, the disparity was not so great as to cause any serious apprehension on that score. The two fleets had already met in a partial engagement, and separated without any material advantage on either side.

The capitulation of Cornwallis, was the last great event of the American war. The struggle was over, and America was free. More than a twelvemonth elapsed before the preliminaries of peace were signed; but there was a cessation of arms from the surrender of York Town.

The signal and decisive reverse which had befallen the British arms was announced in London, on the 27th of November, two days before the meeting of Parliament. The minister had long since despaired of the war, and felt that this event was the fulfilment of his worst expectations; but yielding as usual to the will of the king, he went down to Parliament with an opening speech, calling upon the country to make fresh efforts to repair the disaster which had occurred, and to maintain the integrity of the empire.

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[f] CLINTON'S *Unpublished Memoirs*, quoted by Lord Mahon, *History*, vol. vii. p 124.

But the people no longer responded to the appeal. They had applauded this war, as they had applauded every war, whether just or unjust, necessary or unnecessary, in which the country had been engaged for the last century at least. Sometimes religious rancour, sometimes hatred of the French, sometimes the mere insolence of power have prompted the people of England to abet the ambition or folly of their rulers, to mingle in wars with which they had no concern; or to provoke wars with nations which had given them no just cause of offence. But the war of American Independence redounded as little to the honor of this country in its commencement, as it did in the result. It originated in that good old cause, which appealed to the generous sympathy of Englishmen, by whom it had been so often and so gloriously asserted. But in the opinion of the people of this country the resistance of colonists to arbitrary taxation was rebellion; their remonstrance against oppressive port duties and restrictions on their commerce for the exclusive benefit of the parent state, were presumptuous attempts to evade the incidents of their dependent condition. So long as it seemed possible to enforce these tyrannical and selfish maxims, there was no compunction on the part of the people of England, in prosecuting this illiberal and unjust war; but when they found that their arms made no progress, and that the expense of conquering and keeping down the colonies, would far exceed any revenue which they

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might wring from their scanty resources; and when it was discovered, moreover, that the colonial trade was not of the importance to their interests, which they had supposed, they were willing to desist from the unprofitable and inglorious struggle.

Pitt's speech.

Although amendments censuring the continuance of the war were rejected by the large majorities which the King could still command in both Houses, it soon appeared that the country gentlemen, and the few other independent supporters of the Government, were tired of the conflict. A powerful speech from Mr. Pitt, denouncing the American War, in the manner of his father and not with inferior eloquence, was received with a general applause, which marked the temper of the Commons, as well as their admiration of the youthful orator and statesman. At length, on the vote for the Army Estimates, the real sense of the House was still more plainly expressed. Sir James Lowther, hitherto a steadfast supporter of the Government, moved a resolution against the farther prosecution of the war in America; and this motion was seconded by Mr. Powys, another commoner of great fortune. It was manifest, indeed, from the scale on which the estimates were framed, that the Government had anticipated the proposed resolution. A larger army than had ever yet been sent to the American continent was absolutely necessary, if it was seriously intended to retrieve the position which had been lost by the surrender of Cornwallis;

but the vote which was asked for was so moderate in amount as to be wholly incompatible with such a design. Lord North at once avowed, that the military operations in America would in future be confined to the defence of certain posts, and that the reduction of the country by military means was to be considered as given up. After this avowal, the minister could only ask the House to refrain from expressing an opinion upon Lowther's motion, on the ground that it might too plainly reveal to the enemy the plan of the next campaign. The absurdity of this argument was sufficiently palpable; and the diminished majority of forty, by which a full House supported the evasive amendment of the Government, proclaimed to the whole world, that the struggle between England and her insurgent colonies was at an end.

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The example set by Yorkshire and other counties in the year 1779, of declaring the sense of the freeholders on public affairs through the medium of open assemblies, had been followed throughout the kingdom; and at a time when the periodical press, that new power in the State, whose gigantic growth has astonished a contemporary age, was yet in its infancy, public opinion found a convenient though imperfect expression through this channel. The Corporation of London, claiming the right of access to the Throne, had always convened the livery as a part of their privilege. The city, with many other public

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bodies, came forward in this manner, to signify their dissent from the farther prosecution of the American War. Addresses to the Crown to the same effect, were likewise adopted by the people of Westminster, and by the metropolitan counties of Middlesex and Surrey. Most of these addresses included a prayer for the dismissal of ministers.

Kempenfelt's inefficient attempt.

A series of reverses both by sea and land seemed to justify the discontent so loudly expressed on the platform, and echoed in Parliament. A fleet of twelve sail of the line had been despatched, under the orders of Admiral Kempenfelt, to intercept the reinforcements for the East and West India squadrons, about to sail from the port of Brest. The admiral succeeded in capturing several transports, which had been parted from the convoy by a storm. But when he came up with the French fleet, and found nineteen sail of the line, many of them first-rate, drawn out in order of battle, Kempenfelt thought it prudent to retire. The return to England of Kempenfelt's squadron under such circumstances gave rise to great indignation; and the Government were justly blamed for having sent out an expedition wholly inadequate to the special service for which it was destined.

This shameful retreat from the French coast, which took place at the end of the year, was followed in rapid succession by other disasters. All the Leeward islands of the West Indies, which

had been taken from the French in the present and in the preceding war, were, with the exception of Barbadoes and Antigua, recaptured in a few weeks. Minorca shortly after capitulated, not from any want of zeal or conduct on the part of the besieged, who held the place until the last extremity, but through the negligence of the Home Government, in failing to send them timely relief. The loss of this island, the most important port in the Mediterranean, was considered at the time a serious, if not fatal blow to British influence in Europe; but subsequent experience has proved the greater importance, in this respect, of Gibraltar.

Altered temper of Parliament.

In the midst of this series of misfortunes, Parliament re-assembled; and it soon became apparent, from the altered temper of that assembly, that an important change was at hand. The ministers themselves were prepared to meet with alacrity the demand of the nation for the abandonment of that policy of which they had long been the reluctant agents; and most of them welcomed the prospect of an enforced release from responsibility, which they had neither the spirit to fulfil, nor the firmness to decline. As an earnest of their concession to public opinion, they gave up the colleague, who was especially charged with the conduct of the war, and the most obnoxious of their number. Lord George Germaine, in the recent debate on Sir James Lowther's motion, had declared, that he never would con-

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sent to the independence of America, and that the empire would be ruined whenever such an event should take place. Sentiments so entirely in unison with those of the King entitled Lord George on his retirement to an especial mark of the royal favour; and, accordingly, he was raised to the peerage by the title of Viscount Sackville.

Assembling of Parliament.

The Opposition, elated by the increasing strength of their cause, and their approaching triumph, opened the Session of 1782 with a motion for an inquiry into the conduct of the war; and that being readily agreed to, Mr. Fox, after the production of the papers, moved a vote of censure on Lord Sandwich, the head of the Board of Admiralty. This motion, which, if carried, must have resulted in the immediate resignation of the ministry, was negatived by a narrow majority of twenty-two.

Lord G. Germaine's peerage.

The peerage conferred upon Lord George Germaine was, with less propriety, made the subject of animadversion in the House of Lords. After having held the offices of Privy Councillor and Minister of State, it was too late to object, as some peers thought proper to do, that the judgment of a court-martial, passed twenty-three years before, was a disqualification for honours conferred in respect of civil services, and having no reference to his conduct in a military capacity. The unconstitutional attempts to prevent, and afterwards to censure, the exercise of the prerogative in this respect received but little encourage-

ment, though pertinaciously pressed by the minority. Ch. 26.

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At length, on the 22nd of February, the question as to the continuance of the American War was brought to a decisive issue, by the motion of General Conway for an address to the Crown, praying 'that the war might no longer be pursued on the Continent of America for the impracticable purpose of reducing the inhabitants to obedience.' The attack was lost by a majority of one. Eager to press their advantage, the Opposition renewed the motion in a still more pointed form five days afterwards; and on this occasion the House broke into open revolt. Not only did several country gentlemen declare their intention of supporting Conway's sweeping resolution, but even some members holding offices in the Government deserted their chief; and such was the impatience of the House, that they would hardly hear the Minister when he endeavoured to restrain their precipitation. Yet the arguments urged by Lord North were, many of them, such as common sense and prudence dictated. He reminded the House, that the Government had already given substantial proof of their desire for peace, and had intimated their intention to desist from an active prosecution of the war in America. That war could no longer be terminated by a mere vote of the House, nor by the act of the Government. The arms of France were allied with those of our revolted colonists; and the interests as well as the honour of the

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country forbad a hasty and unconditional surrender of the pretensions we had hitherto maintained. The claims of the loyalists must be provided for; terms must be made; Acts of Parliaments must be altered, before a peace could be concluded, which involved conditions so complicated and novel. Still North did not venture to oppose the motion. He only asked for an adjournment of the debate, in order that the Government might have an opportunity of satisfying the House, that they were sincere and earnest in their efforts to put an end to the colonial war.

But the Opposition, confident in their strength, would listen to no compromise. Pitt especially, who was rapidly rising to the ascendant, derided the promises of the Administration. They had, he said, falsified their promises. They could agree upon no plan. They had no stability, and were wholly unworthy of confidence. The House was clamorous for a division; and, the adjournment having been rejected by a majority of nineteen, the main question was carried by acclamation.

Perseverance of Opposition.

The Opposition, determined to follow up these motions until they compelled the ministers to resign, after the King's formal answer to the late address had been received, proceeded to move 'that the House would consider as enemies to the King and country all who should advise, or by any means attempt, the further prosecution of offensive war, for the purpose of reducing the revolted colonies by force.' This motion, which Lord

North contented himself with declaring to be unnecessary, after the votes which had been already passed, was agreed to without a division.

Lord John Cavendish's resolutions.

Lord John Cavendish then brought forward a series of resolutions, condemnatory of ministers in the general conduct of the war. But the House, having secured the main object, of putting an end to the war of Independence, were less disposed to take part in a conflict between the competitors for place and power. A few members who had supported Conway's motion, refrained from voting on Lord John Cavendish's resolution. The consequence was, that the Government had a majority of ten. At last the protracted struggle was brought to a final point, and a direct vote of want of confidence was proposed. It was significant of the result, that a country gentleman, Sir John Rous, member for Suffolk, who had hitherto been a steadfast supporter of the Government, consented to be the mover of this decisive vote. The Government on this occasion were ably defended. It was argued with reason, that the policy they had pursued towards the American colonies, had been originated by the Grenville Administration, had been followed up by Lord Rockingham, and Lord Chatham, and had been ratified by Parliament and the country. The attempt to enforce by arms the principle of British supremacy had been frustrated, mainly by the encouragement which the rebellion had received within the walls

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of Parliament; and yet the Ministry were to be censured for not having prosecuted the war with success, at the instance of the very men who had used every effort against it. That this argument was well founded, there can be no reasonable doubt. If it had been practicable for a powerful minister to put down the American revolt, the conduct of the opposition had been such, as to reduce such an enterprise to a bare possibility. When the cause of American independence was maintained in the British Parliament, with an eloquence far beyond what was ever heard in the Congress and assemblies of the Union, and with the authority which belonged to the foremost statesmen of the realm, it would have argued a degree of pusillanimity which no people, in attempting the conquest of their freedom, have ever displayed, if the Americans had desisted from the struggle, while the least hope remained of bringing it to a successful issue.

It was in vain, however, that these arguments were urged. The tide had taken a turn; and the Government, which for a series of years had been supported in all its measures by commanding majorities, could no longer rely on any votes but those of its own nominees. Rous's motion was negatived by a majority of nine only, in a house of four hundred and sixty-three members. This division took place on the 15th of March, and notice was given of another motion to the same

effect on the 19th, unless the Government gave way in the interval. Ch. 26.

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On the 19th, the House was filled at an early hour; and Lord Surrey, pursuant to notice, rose for the purpose of moving a vote of a more stringent character than any which had yet been brought forward. Lord North rose at the same moment. The courtesy of the House usually gives pre-audience to the minister, but on this occasion, there were loud cries for Lord Surrey. Amidst the clamour, Fox rose, and moved 'that the Earl of Surrey be now heard'; and the Opposition seemed disposed for a trial of strength on this preliminary question. But North, with his usual dexterity, immediately stood up, 'to speak to that question;' and the tumult at once sunk into profound silence, when he announced that his resignation had been accepted, and that the administration was dissolved. After thanking the House, in graceful and feeling terms, for the support which they had given him during so many years, he moved an adjournment for five days, in order to afford time for the arrangement of a new administration. Lord Surrey.

The resignation of the Ministry, though expected, came at last upon the House by surprise. It was well known, that nothing short of extreme necessity would force the King to part with servants who had so exactly obeyed his will, and enabled him to exercise that power and predo- The King's reluctance to North's resignation.

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minance which he believed to be his right. The alternative of accepting the services of those proud and domineering Lords, whose arrogance had embittered the earlier years of his reign, and reduced the prerogative to an empty name, and of resigning the Crown itself, was one which, it was said, the King seriously contemplated.[g] After a vain attempt to make terms with the Marquis of Rockingham, the chief of the most powerful division of the Whig party, the King was at last convinced that he could not prolong the contest. He intimated this opinion to Lord North, only a few minutes before the sitting of the House, on the 20th March; and the minister, as eager to quit office as the keenest of his adversaries was to take possession of it, asked permission to announce the important fact to Parliament forthwith. His Majesty consented; and North hurried down in his court dress, to anticipate Lord Surrey, as we have related.

In this manner was brought to a close the worst administration which has directed the affairs of this empire, since that infamous Cabinet known by the name of the Cabal.

Charles the Second sought, by means of the Cabal, to cast off the restraints of law, and to make himself an absolute king. George the Third sought, through the instrumentality of ministers of his own choice, to shake off the do-

[g] WALPOLE'S *Notes*. LORD HOLLAND'S *Memorials*.

mination of an oligarchy, and to make himself a free king. The one, a selfish sluggard, aimed at his object through the agency of audacious and profligate men; the other, an active and energetic man of business, required only passive tools. The chief of the Cabal, too, was of a very different character from the head of the cabinet of the King's friends. Shaftesbury, brilliant, ambitious, intriguing, faithless, entered eagerly into the plan of absolute monarchy; but deserted to the people, when he found the cause of absolute monarchy unprosperous. North, on the other hand, the most genial and amiable of public men, though endowed with a happy wit, and conversant with affairs, yet, from indolence and want of ambition, seemed unfitted for high office in the state. But this very facility of disposition, rendered him a fitting instrument to carry out the difficult and dangerous policy of the King; and thus, for a series of years, he continued faithful to a master who never trusted his official servants, and supporting measures which he believed to be ruinous, by means which he knew to be unconstitutional and corrupt.

The main object of George the Third, during nearly the first half of his long reign, was to free the Crown from the dictation of the Revolution families. He soon found that the Whig factions were too strong to be put down by open war; and, after having given out on his accession, that Government by bribery and corruption was at an end, he ruled, for the first twenty years

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of his reign, by a system of bribery and corruption, more regular and extensive than had ever been attempted in the worst days of the Hanover succession. The treaty of Paris was procured, as we have seen, by the old fashioned plan, of hiring a majority of the House of Commons for the occasion. But the King's policy could not be carried out by the simple and economical plan, of jobbing the vote when it was wanted; it was necessary to establish a permanent system of corruption. Accordingly, the practice of direct bribery appears to have been wholly discontinued after the peace of Paris; and the services of Members of Parliament were permanently engaged by means of places and pensions. The secret management of the House, which, since the Revolution, had been the province of the first minister, or of the leader of the lower House, was now wholly withdrawn from the ostensible minister, and placed under the immediate superintendence and control of the King himself. This great engine of corruption, which thenceforth acquired the more decent name of Influence, was worked by means of secret and unavowed agents, who were usually subordinate members of the Government. It was the business of these men privately to communicate the King's pleasure to Members of Parliament, and the patrons of Members of Parliament, who were willing to barter their votes for places, pensions, or titles. Thus, by the simple expedient of keeping the dispensa-

tion of patronage in his own hands, the King retained in his possession the power, which at that time constituted almost all the vigour of Government, and without which it would be hardly possible for a minister, even in these days, to carry his measures.[h] By these means, during a struggle of ten years, George the Third was enabled to maintain his advantage over the haughty barons of the Revolution; and at length obtained, in Lord North, a minister who was content to accept the responsibility, without the reality of power.

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The King governed in this manner for twelve years. The results of that administration were, the loss of a great part of his dominions; the addition of one hundred and fifteen millions to the Debt; war with three of the maritime powers of Europe; a hostile league of his former allies; his coast threatened with invasion, and British waters swarming with the cruisers of his numerous enemies; nay, British merchants char-

[h] This is really the simple explanation of that profound policy, which is traced through all its windings in the *Thoughts on the Causes of the Present Discontents*. The elaborate machinery there described is purely the creation of Burke's imagination. There was no double cabinet, nor was there any complicated system of intrigue, such as Burke has described. When the King wished to discredit his minister, or to carry any measure of his own, Dyson or Jenkinson gave a hint to the King's 'friends,' as the jobbers and place-hunters were called, and the vote was given or withheld accordingly.

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tering foreign ships, because the flag of their own nation was no longer a protection to their property.[1]

Precarious condition of affairs.

The nation was on the brink of ruin; and it is probable that her ruin would have been consummated, but for some compensatory circumstances, which lay beyond the control of her blind and obstinate ruler. While the King's Government was losing a great empire in the West, private enterprize had reared from its foundations a still greater empire in the East. While orators and statesmen were engaged in debates about election-contests, matters of privilege, and questions of ephemeral or personal interest, the advancing prosperity of the nation, and its progress in the arts of civilized society, are to be traced in the private legislation of Parliament. The Inclosure Acts, the Road and Canal Acts, the Paving and Lighting Acts, which are supposed to concern only the local and personal interests of the parties who solicit them, formed by far the most important part of the transactions of Parliament, from the commencement of the reign, until the end of the American war. But, above all, it was by the inventive genius of the Lancashire artizans, that England was compensated for the fatuity of her rulers. The steam-engine and the spinning-jenny opened up new sources of wealth and

[1] Macpherson's *Annals of Commerce*, vol. iii. p. 611.

power; and Watt and Crompton have given us a commerce of a hundred millions with free America, in lieu of a barren sovereignty which we could not have retained. Ch. 26. — 1782

When the King became sensible, from the rapid change which had taken place in the temper of the House of Commons and the country, that he must part with his ministers, his object was to effect an arrangement by which power should remain, as heretofore, in his own hands. With this view, he made an overture to Lord Rockingham, through Thurlow, the Chancellor, for the formation of a ministry on a broad basis. The meaning of this proposal was, that North or some other creature of his own, should be placed at the head of affairs, and that the Whigs should be merely departmental ministers. But the Whig chief was not to be so dealt with. Rockingham informed the Chancellor, that there must be a change of measures, as well as men; and that the measures to which he should require the express sanction of His Majesty, as a preliminary condition of his accepting office, were the measures which he and his friends had urged in opposition. He demanded peace and retrenchment, and especially that three Bills relating to parliamentary and financial reform, namely, the Bill for excluding contractors from the House of Commons, the Bill for disqualifying Revenue Officers from voting at elections, and Burke's great Bill of Economical Reform, should be cabinet measures. Overtures to Rockingham.

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Upon this intimation, the treaty was broken off; and the King, as usual when he could not have his own way, talked of going back to Hanover; and even pretended, it was said, to make preparations for his departure.[k] The day after Lord North had announced his resignation, the King sent for Lord Shelburne, the chief of that division of Whigs which had acknowledged Chatham as their leader. But the Whig leaders, having joined their forces against the late administration, Shelburne could not accept a commission which Rockingham had declined. Earl Gower, who represented the old Bedford faction and had resigned his seat in the cabinet two years before, because he would no longer be a party to the prosecution of the American war, was then offered the vacant post; and on Gower's refusal, the King was put to the alternative of accepting the Marquis of Rockingham at the head of the united Whig party, or of leaving the country. His choice was soon determined. Within a week of Lord North's resignation, Lord Rockingham had formed a new administration. The great offices were pretty equally divided between the two branches of the late Opposition. The Rockingham connection, however, appeared to have the advantage. Their chief was at the head of the Government, and Fox was leader of the House of Commons, with

[k] *Notes* by HORACE WALPOLE, March 18th, 1782. See LORD STANHOPE'S *History of England*, vol. vii. p. 141.

the office of Secretary of State. On the other hand, the King, from hatred to Rockingham and his friends, rather than from any liking to Shelburne, showed a marked preference to the latter; while Thurlow, one of the ablest of the King's friends, was suffered to retain the Great Seal. Ch. 26. — 1782

It has been often remarked, as a signal instance of the exclusive character attributed to the Whig party, that Burke was not admitted to a seat in this cabinet. Burke had many faults; he was rash, violent and headstrong; he was, in regard of small every-day matters, singularly defective in judgment and taste. He seldom saw but one view of a question, and that was too often an exaggerated view. When the King took into his own hands those weapons of bribery and corruption, which both Whigs and Tories had often used to keep themselves in power, Burke could see only a new and subtle contrivance to supersede constitutional government, and destroy the liberties of the nation. He looked upon Warren Hastings merely as a bloodthirsty and rapacious proconsul. He could see nothing in the French Revolution, but a political crime of the most enormous magnitude. For a confidential adviser of the Crown in the highest capacity, or for a ministerial leader in Parliament he was wholly unfit. But these faults, which would have been sufficient to disqualify almost any other man for high office, were not the real reasons of Burke's exclusion, and were outweighed by qualities of Burke's defects.

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Burke's views as to freedom of trade and reform.

such rare excellence, and claims of such cogency, that they ought not to have excluded him from the cabinet. His genius was of the first order. As a philosophic statesman, he was far beyond the range of Chief Commissioners and Secretaries of State. As an orator, he was excelled by his accomplished pupil, who had been placed over his head; but in the solid and enduring parts of eloquence, Fox could sustain no comparison whatever with his great master. The name of Burke is identified with the earliest agitation of those great questions, upon their advocacy of which, the Whigs have been content to rest their claims to the confidence of their countrymen. He was one of the first public men who saw clearly, that freedom was the true policy of commerce; and he avowed these enlightened and generous sentiments as the rule of his public conduct, at a time when he represented one of the great seats of commercial monopoly. Of religious liberty, in the largest sense, he was the unflinching champion, in opposition to the bigotry of the people, and the prejudices of the Court. Deeply versed in the history of his country, he was not afraid to touch those laws and institutions, which were no longer suited to the fashion or exigencies of the time; but knowing, also, how that which is faulty is blended with that which is sound in an ancient government, his hand was that of a cautious, as well as a bold reformer. In all matters which were free from the influence of his vivid and irri-

table imagination, his conclusions were sagacious and profound. Ch. 26. 1782

Burke was past fifty years of age, had been seventeen years in the House of Commons, and had taken a prominent part in almost every question of importance debated during that period. He had been leader of the Opposition, until he gave way to Fox. Before, and ever since his entrance upon public life, he had been the confidential friend and adviser of Lord Rockingham. He was in correspondence upon every question of importance, with every leading member of the Whig party. He was the author of that great bill, which Rockingham had adopted as the principal measure of his administration: and yet, in the constitution of a cabinet, of which Lord Rockingham was the head, Burke was left out, while such men as Lord John Cavendish and General Conway were admitted.

Pitt's rejection of office.

The office of Paymaster, with a seat in the Privy Council, was conferred on Burke; and was no doubt considered ample preferment for a political adventurer. A choice of minor offices was offered to Pitt; but the aspiring youth, flushed with the triumphs which he had already achieved, and conscious of the ability to sustain the great name which he had inherited, already declined becoming a member of any administration in a subordinate capacity.

The questions which the new cabinet had to determine were grave and urgent. The new

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administration were pledged to put an end to the American contest; and it was difficult to see how this pledge could be redeemed, without subjecting England to a humiliation, the like of which she had never yet endured. They had undertaken at the same time, to terminate, if possible, the war in which the country was engaged with her ancient rivals and determined enemies. In the meantime, they had the responsibility of carrying on a war, the difficulties of which would not be diminished by the declaration of their anxiety for peace. The Irish people, with arms in their hands, were suing for redress of grievances, and required an immediate answer. England was expecting those reforms which the Whigs had so long declared to be necessary for the salvation of the country, and for which they had stipulated, on undertaking the Government.

The state of Ireland was such, that unless decisive measures were promptly taken, it was probable that the island would cease to be a part of the British dominions. Three years before, the the grievances of which the Irish complained, had been partially redressed, by the removal of some of the restrictions which the cruel and selfish policy of the stronger country had imposed upon the commerce and manufactures of the weaker. And even this small and inadequate concession had been made, as has been mentioned,[1] in spite

[1] Vol. ii. p. 432.

of the English merchants and traders. But the Irish saw that the time had arrived for pressing their claims. The might of England had been successfully resisted by her scattered and remote dependencies. Ireland had concentrated within her own shores, a native army far more numerous than that which had been able to hold the wide continent of America against the force of the British Empire. The Irish patriots, therefore, thought this a fitting opportunity to assert the rights and liberties of the nation.

Repeal of Poyning's Law.

They demanded the repeal of the celebrated statute of Drogheda, passed in 1495, known as Poyning's law, by which the initiative of legislation in the Irish Parliament was reserved to the English council. They also demanded the repeal of the Sixth of George the First, which asserted a right in the King and Parliament of Great Britain, to make laws binding the kingdom and people of Ireland. They required an express renunciation of the appellate jurisdiction, exercised by the English House of Lords, in derogation of the rights of the Irish House of Lords. And they insisted on the repeal of the perpetual Mutiny Act, which deprived the House of Commons of their constitutional control over the standing army.

These demands were severally brought forward in the Irish Parliament, and though supported by every man of weight and distinction in the country, as well as by all classes of the people, were evaded or rejected, by the corrupt influence of the English

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Government. The Volunteer army then took the matter up; and one hundred and forty regiments or corps, appointed delegates, who assembled at Dungannon. This assembly immediately passed resolutions, enforcing all the demands of the patriotic leaders; and, at the instance of Grattan, the great chief of the national party, they expressed their approval of the recent relaxation of the penal laws against the Roman Catholics, the only measure upon which the opinions of the patriotic leaders were divided. The effect of this wise and generous policy was to conciliate the hearty support of the Roman Catholic body, which comprised more than three-fourths of the population of Ireland. With this united strength, and backed by a hundred thousand bayonets, Grattan determined to propose, for the sanction of the Irish Parliament, a formal and solemn Declaration of Rights.

Grattan.

The Irish leader had given notice of this motion for the first day after the Easter recess. But, inasmuch as the English House of Commons was to meet only a week previously, and as the new ministers were then to take their seats for the first time since they had accepted office,—both Rockingham and Fox urged upon Lord Charlemont, the acknowledged head of the patriotic party, the propriety of a further adjournment for a few days, that the cabinet might have time to consider a matter of such deep moment. But Grattan, when the proposition was

communicated to him, sternly refused to postpone his motion for a single day. Ch. 26.

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A most unfair attempt was made to deprive the Government even of this short interval for deliberation. The Houses were to meet on the 8th of April. Mr. Eden, the Chief Secretary to the Lord Lieutenant, having with difficulty escaped from Dublin, amidst the execrations of the people, had arrived in London the preceding day, bringing with him the resignation of Lord Carlisle, together with despatches relative to the state of the country, which it was the duty of the Irish Government to lay before the Cabinet. On his arrival, the Secretary found that one part of the mission with which he was charged, had been anticipated, by the appointment of the Duke of Portland as Lord Carlisle's successor; and this indignity, as he considered it, had been enhanced by the further dismissal of his patron from the honorary office of Lieutenant of the East Riding of Yorkshire. These proceedings towards a great officer, who had acquitted himself without discredit were no doubt abrupt and ungracious; but the offence was merely personal to the Earl of Carlisle. Yet, the Secretary thought himself justified in avenging the private wrongs of his chief, and perhaps his own, by withholding from the Government information which concerned the public service. Nor was this all. In his blind resentment, he hurried down to the House, started up, and declaring that it was no longer possible to resist the demands of the Irish

Mr. Eden and the Earl of Carlisle.

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people, proposed the immediate repeal of the Act of George the First, which gave the English Government a control over the Irish Legislature. In reply to this motion, Fox, rising for the first time as the leading minister in the House of Commons, denounced in his most vehement manner, the gross impropriety of such a motion at such a time, made, too, by a man, who, up to the moment of his removal from office, had strenuously opposed, and with elaborate arguments, every one of the demands, the whole of which he now desired his successor precipitately to concede. 'The motion' said Fox, 'was one for immediately abandoning the supremacy of this country, and disuniting England from Ireland at a single stroke. It was a declaration of unqualified submission on the part of Great Britain, and a direct relinquishment of her dearest and most valuable rights.' Loud indignation was expressed from all parts of the House; a vote of censure was even menaced; and Eden, finding that he had no support, except from Luttrell, the supposititious member for Middlesex, and one or two other members of no authority, withdrew in confusion.

The following day, Fox brought down a message from the Crown, recommending the consideration of the state of Ireland, with a view to some provision for allaying the discontent which prevailed in that country. No specific plan was proposed by Ministers in pursuance of the message, which was merely meant to satisfy the Irish

people, that their pretensions were not treated with contempt.

Grattan's propositions.

The following week, the Irish Houses met, pursuant to adjournment. The day on which Ireland was, for the first time in her history, to claim the rights and privileges of a free and independent nation, was celebrated with every circumstance befitting the solemnity of the occasion. Not satisfied with having ordered a call of the House, Grattan had caused a circular letter to be addressed by the Speaker to every member, enjoining him to be present that day, as he tendered the rights of the Irish Parliament. The streets were thronged at early dawn with an eager populace, and great was the enthusiasm of those who were so fortunate as to surround the residence of Grattan, where many of the popular members were assembled before the sitting of the House. The Leinster Volunteers took military occupation of the city. Large bodies were posted at different quarters. At the quays, bridges, and principal approaches to the Houses of Parliament, the cavalry and artillery of this ominous force were drawn up with military precision. A small body of troops, commanded by officers bearing the King's commission, were suffered to escort the Viceroy on his way to Parliament. The galleries of the House of Commons had been thronged for hours by an eager audience; and everything indicated the arrival of an epoch in the history of the nation.

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Grattan's speech.

The Lord-Lieutenant's message having been read, and a formal address moved, Grattan rose to propose an amendment, containing in substance the Irish Bill of Rights. The principal articles of this memorable proposition were the repeal of the Act of George the First; the repeal of that portion of Poyning's law which reserved the initiation of Irish legislation to the English Council; the repeal of the Perpetual Mutiny Act; and the recognition of the Irish House of Lords as a Court of Appeal in the last resort. The speech of Grattan, though not free from the exaggeration of Irish oratory, was, on the whole, a noble effort, and, in some passages, rose to the dignity of the occasion. In noticing the fact, that his motion originated with the armed assembly at Dungannon, he reminded his hearers, that Magna Chartâ originated in an assembly of armed nobles. But, he said, that this was one of those great original transactions which required no precedent; for it was founded in right and reason, and was a precedent in itself. He declared, that the Volunteers had armed in defence of their laws against the pretensions of the British Parliament, which were subversive of all law; and these laws being successfully vindicated, the two nations would be allied by liberty as well as by allegiance.

The motion was carried by acclamation. The Upper House, carried away by the same generous enthusiasm, concurred in the vote of the Commons. And this business being concluded, the

two Houses immediately adjourned to await the decision of the British Government. Ch. 26. 1782

There could be no doubt what that decision must be. The party in power, founding themselves on the principles of 1688, could hardly fail to sympathize with a struggle for freedom so strictly limited within constitutional bounds; nor could the Whigs, with any consistency, deny to the Irish the same rights which they had encouraged the Americans to demand. But though the case of Ireland and the case of America were parallel in principle, there was a distinction of such practical weight, as must ever prevent the theory of Irish independence from being carried into effect. America, at the distance of three thousand miles, might be suffered to pass what laws she pleased without endangering the safety of the British Islands; but Ireland, separated from this country only by a narrow channel, with an independent legislature and a regular army under the control of her Parliament, must, in times of civil commotion or foreign war, become a dangerous neighbour. This difficulty has been apparent to every English statesman; and, in modern times, it would be considered as rational to restore the Heptarchy, as to sever any portion of the British Isles. The cabinet of Lord Rockingham, therefore, used every effort to avert the extreme demands of the Irish people; but failing in this attempt, they had to choose between a remote and possible danger on the one hand,

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and an inevitable and immediate collision on the other. No ministry would have been justified in hesitating between such an alternative. The Government arrived at a prompt decision; and at their recommendation, Parliament, with equal promptitude, passed a Bill for repealing the Statute of George the First. Yet there can be no doubt, that this Act, which was hailed by the Irish people as the charter of their liberties, laid the foundation of that great measure which, in less than twenty years, put an end to the existence of Ireland as a separate and independent nation.

Disqualification of contractors.

The Irish difficulty having been thus adjusted, the Ministry brought forward the Bill for disqualifying contractors from sitting in Parliament, and the Bill for depriving revenue officers of the elective franchise. These measures, which aimed a serious blow at the influence of the Crown, had been expressly insisted upon by Lord Rockingham as a condition of his accepting office; and the first negotiation with that nobleman had been broken off by reason of the King having refused his consent to such an extensive inroad on his power. This important point, however, was subsequently yielded, with the other demands of the Rockingham party. The Bills which had, with difficulty, been resisted during the latter part of North's administration, now passed the Commons without a division. They were opposed in the Lords by the Chancellor and the Chief Justice, but without success. By one of these Acts, the

House of Commons was purged of a class of men, who were bribed in a manner the most pernicious to the public interest; for they obtained contracts, not on account of skill and ability, but on account of the support which they could give the Government in parliamentary conflict: and thus the Minister was frequently made to conspire with an unprincipled adventurer to defraud the public service. By the other Act, according to Lord Rockingham's statement, the Crown was deprived of a prevailing influence in no less than seventy boroughs, in which the elections depended on the votes of revenue officers. Ch. 26: — 1782

Bad taste of Burke.

Burke's Bills for the retrenchment and reform of the Civil Establishment, were also laid upon the table, in a few days after the recess. This measure was considered of sufficient importance to be introduced by a message from the Crown. In moving the usual Address, in answer to this message, Burke, in one of his transports of bad taste, described it as 'the best of messages, to the best of people, from the best of kings.' Such bombast was especially ridiculous, when it was notorious that the King felt the strongest repugnance to the measure, and that the cabinet, themselves, had given a reluctant consent to it.[m] The

[m] In Burke's correspondence there is an elaborate paper, addressed by Lord Rockingham to the King, in defence of the Bill; and Fox, in his private correspondence, relates the difficulties which he and his friends experienced in overcoming the objections of the Shelburne party in the Cabinet. Burke him-

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Bill, itself, lingered in the House; and the second reading was not moved until the 14th of June, a period at which the session was generally brought to a close. The Bill, on going into Committee, had shrunk considerably from its original dimensions. Among the most telling passages of the great speech, in which the plan had been first unfolded, were those which described the establishments in the Principality of Wales, and in the Duchies of Lancaster and Cornwall. All attempt to retrench the ridiculous extravagances of these departments was abandoned. The Ordnance Office, the Mint, the offices of Treasurer and Cofferer of the Household, the scandals and absurdities of which he had held up to the scorn and indignation of the country, were left untouched. The whole amount of savings to be effected did not exceed seventy-two thousand pounds a year; a sum not altogether contemptible, but certainly not enough to dignify a great plan of Economical Reform. The most important provisions of the Bill, were those which limited the Pension List, and placed the Secret Service Money under regulations, calculated to remedy the shameful abuses of that fund. The pensions, which, at the commencement of the year 1782,

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self, in a letter to Lord Rockingham, just before the Message was brought down complains bitterly of objections which have been made with the view of defeating the Bill.—BURKE's *Correspondence*, vol. ii. p. 666—8. *Memorials of Fox*, vol. i. p. 314.

amounted to upwards of one hundred and thirty-six thousand pounds, divided among four hundred and eighty-six recipients, were not to exceed ninety thousand pounds a year. No pension exceeding three hundred pounds a year was to be granted; nor was the augmentation of the list, in any one year, to exceed six hundred pounds; and the name of every person added to the list, was to be laid before Parliament. The Secret Service Fund, amounting to nearly fifty-seven thousand pounds, of which no less than forty thousand pounds had been placed at the disposal of the joint Secretaries of the Treasury, was to be reduced, under the new regulations, to thirty thousand pounds, of which ten thousand only were to be appropriated to the Treasury; while the remainder was to be appropriated to the Secret Service of the Foreign Department and the Post Office,[n] a sum not excessive for a time of war. Ch. 26. 1782

It was assuredly not with the willing assent of the earnest author of the Bill, that any one of the stringent provisions which it originally contained was abandoned or even modified. The excuses which he put forth for the alterations and omissions in the revised draft of the measure, were so lame and frivolous, as though he intended it to be understood, that he acted under pressure, in departing from his original intentions. His zeal and singleness of purpose were sufficiently manifested

[n] *Treasury Paper*, Bolton MSS.

Ch. 26. 1782 in the way in which he dealt with his own office. The paymaster was the great scandal of the Civil Service. His emoluments, varying greatly from time to time, in some years exceeded the sum which is now sufficient to pay the salaries of all the cabinet ministers; but, in the worst years, they were still so large as to make the office by far the richest prize in the administration. The paymaster's regular perquisites were ten per cent. on all salaries, three pence in the pound on all moneys issued to him by the Treasury, and ten shillings per cent. on all payments to tradesmen.° Balances of public money, amounting frequently to several hundreds of thousands of pounds, stood in his name, yielding profit as a private deposit account. In time of war, the gains of the office swelled to an enormous amount. The paymaster was entitled to, or claimed, a percentage on subsidies to foreign powers, the profits arising from which alone were sometimes equal to the revenue of an Electorate or a Grand-Duchy. By holding this lucrative appointment for a few years, the first Lord Holland, who entered upon public life a needy adventurer, was enabled to found a family, and to pay his younger son's debts, to the amount of a quarter of a million. Burke introduced a separate Bill, to abolish the extravagant profits of this office.

These retrenchments, though inconsiderable as a reduction of the national expenditure, were

° *Treasury Paper*, Bolton MSS.

valuable, in depriving the Crown, so far, of the means of exercising a corrupt influence over Parliament and the public service. For example; a charge of twelve thousand pounds, distributed in annuities and pensions among sixteen members of both Houses of Parliament, was entirely omitted in the Treasury Estimate of the Civil List for 1783.[p] The whole Board of Trade, which consisted merely of placemen created for parliamentary purposes, was swept away. Entire departments of the household were abolished. The object of the Whig ministry, was to cut up influence, root and branch; but while Burke's Bills were passing through Parliament, this very ministry hastened to perpetrate a gross abuse of the Pension List, before the power of committing such abuse should be taken away for ever. Lord Grantham, who had lost a thousand pounds a year by the abolition of the Board of Trade, was compensated by a pension of two thousand six hundred and eighty pounds; a similar grant was conferred upon the Chancellor; and Barré, one of the loudest patriots in the House, was rewarded by a pension of three thousand two hundred pounds. Both Grantham and Barré were followers of Lord Shelburne; though the latter sought, most disingenuously, to fix upon Rocking-

[p] Civil List Expenses for the year ending 5th January, 1782; and estimate upon intended regulations.—Bolton MSS. Eight Scotch lords divided £5000 of this sum.

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ham the stigma which attached to the exorbitant and wholly unmerited pension conferred on Barré. Grantham, a few months later, succeeded Shelburne as Secretary of State, when the latter was raised to the head of the Government. Thurlow, who had no political connection with either of the parties in office, and had done his utmost to defeat the Reform Bills, both in the cabinet and in the House of Lords, owed his preferment to the favour of the King. The odium which the Whigs incurred by these unlucky pensions, was not outweighed by a due sense of the solid and enduring value of their great measures of Financial and Parliamentary Reform.

Objects of Pitt.

The question of the representation was brought before the House of Commons in a direct form by William Pitt. He moved for a Committee of enquiry, but his speech plainly indicated the reform which was needed. The abolition of rotten boroughs, and the substitution of real constituencies, were the primary and essential objects. Chatham had proposed to transfer the forfeited seats to the counties; and this was the arrangement which his son recommended. No other distribution of seats, indeed, had been suggested from any quarter. The great manufacturing towns, which are now the seats of political intelligence, as well as of skilled industry, were then, for the most part, scattered hamlets. The steam-engine and the spinning-jenny were yet in their

infancy; the power-loom had not been invented.[q] No friend to representative institutions could desire to multiply the scenes of bribery, drunkenness and riot, which almost every open borough exhibited at the time of an election. In the counties alone, with the exception, perhaps, of the metropolis, were to be found the public spirit and independence which redeemed the elective franchise from contempt. It was to the meetings which had been held in almost every county hall in the kingdom, that the removal of the late administration, the discontinuance of the American war, together with the wise and patriotic legislation which had lately taken place, were to be mainly attributed.

Ch. 26. 1782 Debasement of the constituencies.

If there was any one question upon which the Whigs ought to have been firm and united, it was that of restoring the purity and independence of Parliament. But there was no question upon which they were more divided, or entertained a greater diversity of opinion. The Duke of Richmond was for annual parliaments and universal suffrage. Fox was much more moderate in his views. Burke declared, that the constitution of the House of Commons was incapable of amendment. Lord Rockingham hesitated, and Lord John Cavendish doubted. Many of the nomina-

[q] Watt's double-action engine, which gave so great an impetus to the trade was patented in this year. Cartwright's improved power-loom was registered 1st August, 1787.—ELLISON's *Handbook of the Cotton Trade.*

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tion boroughs belonged to the Whigs, who were not prepared, any more than the Tories, to make a sacrifice of property and influence. The motion was lost by a majority of twenty; from which it was plain, that the balance might easily have been turned the other way, had the Government taken a more decided course. The conduct of the Ministry on this occasion likewise tended much to impair their popularity.

Shelburne and Fox.

But the divisions and jealousies of a cabinet, the members of which were rather rivals than colleagues, operated still more injuriously upon the foreign policy than the domestic legislation of the country. The Government had undertaken to terminate the American War, and to negotiate a peace with the European enemy. To complete such difficult and complicated transactions, the cordial co-operation of the whole cabinet was an indispensable preliminary. But so far from co-operation, there were separate counsels from the commencement. The conduct of the negotiations appertained to the two Secretaries of State, Shelburne and Fox; and these ministers proceeded to act in matters of such delicacy, and requiring, above all others, unity and steadfastness of purpose, without any concert or agreement. The office of Secretary of State for America had not been filled up in the formation of Lord Rockingham's government; and, in contemplation of the treaty by which the independence of the Colonies was to be recognized, the office itself was abolished by

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Grenville and Oswald.

Burke's Bill. The consequence was, that, until the treaty should be concluded, the colonial business devolved upon the Secretary for the Home Department; and Lord Shelburne, in that capacity, claimed the right of negotiating the treaty, so far as America was concerned. So eager had he been to seize and appropriate this province, that, while the Cabinet had accredited Mr. Thomas Grenville, as Minister Plenipotentiary at Paris, to negotiate the terms of a general peace, Shelburne sent over Mr. Oswald, a gentleman unconnected with the diplomatic service, and invested with no official authority, as an organ of communication between himself and Franklin, the American Minister at the French Court. The natural results of such an arrangement were very soon visible. The plenipotentiary and the agent having different instructions and incompatible powers, the foreign ministers were unable to discover which represented the views of the British Government. Mr. Oswald was called Lord Shelburne's ambassador, and Mr. Grenville Lord Rockingham's. When the accredited minister proposed to open the business with Franklin, he was met by reserve and evasion: this was explained by the fact, that Oswald had intimated to Franklin, that he was about to receive a commission from Lord Shelburne to negotiate the treaty with America. In communicating this information to Grenville, Oswald had the impertinence to express his regret, that there should be differences between

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the two Secretaries of State, adding, when desired to explain his meaning, 'that the Rockingham party were too ready to give up everything.'[r] This was in allusion to a difference between Fox and Shelburne on a point of some importance. Fox was of opinion, that the independence of the United States should form no part of the general treaty, but should be recognized at once and unconditionally by Great Britain. Shelburne, on the contrary, maintained, that the independence should form the basis of the negotiation. It was, of course, immaterial to the triumphant Colonies which plan was adopted; but it was, perhaps, more agreeable to the dignity of England, that the concession of independence should, even at the last moment, appear to be her own spontaneous act, rather than it should be a portion of the price which she paid for peace to the successful rebel. Grenville, indignant at this intrigue, despatched a private letter to Fox, desiring to be relieved from a situation which he could no longer hold with credit. Fox, in reply, expressed the strongest desire to bring matters to an open rupture with Shelburne, on the grounds mentioned in Grenville's letter; namely, the design of investing Oswald with ministerial powers, and the receipt by Shelburne, without communicating it to his colleagues, of a paper from Franklin, sent through

[r] Grenville to Fox, 4th June, 1782.—*Courts and Cabinets of George the Third*, vol. i. p. 36.

Oswald, proposing that England should cede Canada to the United States, as an indemnity for the losses which they had sustained during the war.[8]

Dissolution of the Ministry.

While this affair threatened the existence of the Administration, its fate, which could not have been long delayed, was determined by the death of the Marquis of Rockingham. The Minister, though hardly past the prime of life, had lately been afflicted with an organic disease, which must, at no distant period, have proved fatal; but the immediate cause of his death was an epidemic distemper then prevalent. Lord Rockingham, though possessed of no superior capacity, and wholly deficient in parliamentary talent, had long been considered the principal leader of the Whig party. His eminent position and great fortune, his integrity and good sense, together with his unshaken fidelity to Whig principles, entitled him to this preferment. So high had he always stood in the estimation of his party, that his elevation to the head of the Government in 1765, when he was yet a young man, and when the rivalry of the Whig houses was far more active than in 1782, was not objected to by any of the proud and jealous lords who belonged to that connection. His prudence and firmness in the negotiations which immediately preceded and followed the fall

[8] Fox to Grenville, June 10th, 1782.—*Courts and Cabinets*, vol. i. p. 39.

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of Lord North's administration, were sufficient to prove that he had some of the most valuable qualifications of the statesman. The King, whose object it was to change his ministry without changing his policy, proposed, in the first instance, that a new Administration should be formed upon a broad basis. To a suggestion so plausible, Rockingham could not have objected, without exposing himself to the charge of faction and arrogance, which would instantly have been raised against him. But he frustrated the King's design by stipulating for certain measures of legislation. In vain did the King declare that conditions were unnecessary, and that he required no more than the names of his new ministers. Rockingham insisted on his measures; and George the Third, finding that he had to choose between the Whig Reform Bills and Hanover, was not long in making his election. It was owing chiefly to the firmness of the First Minister, that, in spite of the strong repugnance of the King, and notwithstanding the lukewarm support of at least half the Cabinet,[t] measures were carried, during his administration of three months, which did more to restrain the undue influence of the Crown, and to check the corruption of Parliament, than anything which has been done between the Revolution and the great Act of 1832. Lord Rockingham claimed credit for disinterestedness in abolishing a multi-

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t See Fox's letter to Fitzpatrick.—*Memoirs and Correspondence*, vol. i.

tude of places, which would have afforded him the means of rewarding his numerous friends;[u] but Lord Rockingham well knew, that all this patronage had been employed during the last twenty years under the immediate direction of the Crown itself, for the sole purpose of excluding him and his friends from power.

With the death of Rockingham, the division of the Whig party may be said to have ceased. The Shelburne faction representing the school of Chatham, which had never been considered orthodox, was already inclining to the side of the Court. The great Bedford connection had long been dissolved; some of its principal members had joined the late administration; and the new generation of Grenvilles had not yet risen to notice. The long adversity which followed the disastrous Coalition, served to extinguish those selfish factions into which the great party of the Revolution had been split by a long monopoly of power; and, when at length they returned to office, after a lapse of eventful years, the first act of the Whigs was to transfer to the people all those anomalous and wrongful possessions, which had

[u] See sketch of a memorial, or speech, from the Marquis of Rockingham to the King, on proposing to His Majesty a Message to the Commons for introducing an economical reform.—BURKE'S *Correspondence*, vol. ii. p. 468. In this paper, which was probably drawn up by Burke, His Majesty is informed, that none of the proposed retrenchments affect His Majesty's service, but merely concern places which are kept up for the political and party purposes of his Ministers.

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— the functions of representative Government.
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The day after Lord Rockingham's death, the King offered Lord Shelburne the vacant office; and Shelburne, without consulting his colleagues, or at least that portion of them who had been connected with the deceased minister, accepted the promotion. Shelburne must have been prepared for the immediate consequences of this step. The followers of Rockingham, who had barely tolerated him as a colleague, were not likely to submit to him as a chief. Fox, the most important member of the Government, had charged him with duplicity and reserve in the negotiations at Paris; and at a Cabinet, held the day before Lord Rockingham's death, the Secretary of State for Foreign affairs, having been overruled on the quēstion of recognizing the independence of America as a preliminary to the treaty, had signified his intention to resign.[v] Fox and his friends, in

[v] The Duke of Grafton's MS. Memoirs, quoted by Lord Stanhope in his history. It appears, however, that there was no material difference between Fox and Shelburne on this point. In a secret despatch, dated July 6th, and addressed by Lord Shelburne to Sir Guy Carleton and Admiral Digby, His Majesty's Commissioners in America, he says, 'on the 10th of June, fresh powers were sent to Mr. Grenville, under which he received authority to treat with all the other European powers engaged in the war; and, by a letter from Mr. Fox of the same date, he was more particularly directed no longer to mention the independence of America as a cession to France, or as a conditional article of a general treaty; but he was, at the same time, instructed to observe to the French Ministry that the indepen-

contempt of the fact, that the King's choice was already made, agreed to recommend the Duke of Portland as the successor of the Marquis of Rockingham. But in any circumstances, such a recommendation would have been highly presumptuous and offensive. The effect of our parliamentary system, is doubtless to limit the discretion of the sovereign in the choice of his ministers; yet, no Parliament, and no party, have ever assumed a right of dictating to the sovereign the name of the individual who is to direct his councils.

Fox and Lord John Cavendish were, however, the only members of the cabinet who resigned. The Duke of Richmond and Lord Keppel, the other two nominees of the Marquis of Rockingham, remained in office; eight other members of the Government, including Burke, followed their great leader.

Pitt Chancellor of the Exchequer.

The new members of the Cabinet, were Pitt, who became Chancellor of the Exchequer, and Lord Grantham and Thomas Townshend, Secretaries of State. The Duke of Portland was succeeded in the Lieutenancy of Ireland, by Lord Temple, who was accompanied by his brother Wyndham, subsequently so distinguished as Lord Grenville.

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dence of America was proposed to be acknowledged; and to remark, that this, which they had emphatically called the *object of the war*, being done spontaneously, little difficulty ought to remain with regard to other points, which might be considered rather as collateral and incidental than as principles in the present dispute.'

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The Duke of Richmond and the Duke of Grafton, Lord Camden and Lord Keppel, saw no sufficient reason for breaking up the Government at such a critical period, and therefore remained, though with reluctance, after Fox had withdrawn. No satisfactory explanation, indeed, has ever been given of Fox's conduct on this occasion. Recent publications, which have exposed the political intrigues of this period, fail to throw any light upon the motives of his resignation. It is easy to call Lord Shelburne's Cabinet a 'den of thieves.'[w] and to say that his 'situation in the country, his power, his popularity, his consequence, nay his character were all risked,'[x] but something more positive and intelligible is wanting, to justify a minister of commanding weight and influence, in abandoning, at a most critical period, a position which he had deliberately assumed only a few months before. Personal jealousy and disappointed ambition are sorry motives to actuate a statesman in deserting the public service; but Fox's conduct in quitting office in 1782, appears to have been as wayward and factious as his conduct the following year, when he forced his way back to office, by means which damaged his character and ruined his party.

The business of the session having been nearly

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[w] Fox to T. Grenville, July 13th, 1782.—*Court and Cabinets of George the Third*, vol. i. p. 83.

[x] July 5th.

brought to a close, at the death of Lord Rockingham, Parliament was prorogued on the 11th of July; but the new arrangement of the Ministry was not completed until the preceding day. In the interval, the retiring ministers undertook to satisfy the expectation of the country, by explaining the grounds on which they had felt justified in taking a course so inconvenient, if not perilous to the public service. Fox declared that there had been neither concert nor unanimity in the late Cabinet, and that he could not remain responsible for measures which he did not approve. That his late colleagues who continued in office, thought nothing of promises which they had made, of engagements they had entered into, of principles they had maintained, or of the conditions on which they had commenced their career. He added, that, having obtained power by the labour of others, they would now strive to strengthen themselves by any means which corruption could procure; and he expected to see, that in a very short time, they would be joined by those men, whom that House had precipitated from their seats. This last allusion was not forgotten, when in a *very short time*—within eight months—Fox himself entered into that very coalition, by which he now predicted that the existing ministry would consummate their treachery and dishonour. As to his other reckless imputations on the conduct of his late colleagues, the answer of General Conway was sufficient. The Ministry had come

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into office on certain defined principles. They had undertaken if possible to restore peace; and, accordingly they had resolved to remove the cause of quarrel by an unconditional recognition of the independence of America. They had promised economy, and the suppression of secret and corrupt influence; they had passed the three great measures, which, in the opinion of the country, were calculated to effect those objects. Pitt followed, and exposed with all the sarcastic power of which he was such an eminent master, the real character of the proceeding, as a personal struggle for power. Fox retorted; and this was the commencement of that parliamentary conflict which these two great men carried on for the rest of their lives. Burke, whose influence is supposed to have been mainly instrumental in causing this rupture, so fatal to his party, and in its remote, if not immediate consequences, so injurious to the public welfare, far exceeded Fox in the violence of his language. For some time the House would not listen to him; and, when at length he obtained a hearing, after a furious expression of contempt for those who had sought to put him down, he proceeded, amidst jeers and laughter, to detail the personal sacrifices which he had made in giving up his office. He then went off into a passionate invective against Lord Shelburne, as a man who only wanted the ability to be a Borgia or a Catiline. Such a preposterous harangue served to complete the discomfiture of the retiring ministers. Both

Rivalry of Fox and Pitt.

Parliament and the country were disposed to agree with Shelburne, when, in noticing those attacks, he contented himself with saying, that in resisting the dictation of his late colleagues, he had only acted in accordance with the principles of his master in politics, the late Earl of Chatham; who had declared, that the country ought not to be governed by an oligarchical party, or family connection. These sentiments had ever been popular, and the accession to high office of Chatham's son, whose rare promise had already excited great interest without, as well as within the walls of Parliament, was considered a sufficient compensation for the loss of a statesman so arrogant and intractable as Fox.

CHAPTER XXVII.

WAR WITH FRANCE AND SPAIN—RODNEY'S VICTORY—BLOCKADE OF THE DUTCH PORTS—SIEGE OF GIBRALTAR—NEGOTIATIONS FOR PEACE—PROVISIONAL TREATY—CONCLUDED—THE COALITION—SHELBURNE'S RESIGNATION—ROCKINGHAM PARTY—PARLIAMENTARY REFORM—TREATIES OF PEACE.

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Affairs in America.

EARLY in the year, Sir Henry Clinton was informed of the determination of the Government to discontinue active operations on the continent of America; and that the military establishment in that country would be recruited only on a scale sufficient to maintain the posts and districts already in the occupation of British forces.

This determination, together with the inadequate provisions which had been made by the capitulation of York Town, for the protection of the loyalists, spread great discontent and alarm among the adherents of British connection. The animosity between the two parties, those who were in arms for independence, and those who maintained their allegiance to the crown, necessarily assumed all the virulence of civil warfare. The loyalists, who fell into the hands of their

rebellious countrymen, were treated with much greater severity than ordinary prisoners of war; the loyalists retaliated, and many irregularities, were doubtless committed. At length an incident occurred, which obliged the commanders on both sides to interpose, for the purpose of putting an end to these enormities. One White, a member of an armed association of loyalists at New York, having been betrayed into the hands of the opposite party, and put to death, the Association retaliated upon Huddy, an officer of Congress, whom they had made prisoner. The American was hanged, under the direction of Captain Lippincot, who assumed to act by the order of the Association. Sir Henry Clinton, resenting this audacious invasion of his authority, and wishing to check such barbarous proceedings, caused Lippincot to be arrested and tried for murder. Washington, on the other hand, incensed at such an outrage on a prisoner of war, demanded that the perpetrator should be given up; and on Clinton's refusal, he ordered that an officer of equal rank with Huddy should be chosen by lot, from among the prisoners of York Town, and publicly executed. The lot fell upon Captain Asgill, a young officer of the guards, only nineteen years of age. The Congress urged, that this cruel sentence should be carried into effect; but Washington, with that instinct of humanity which popular assemblies rarely exhibit, still

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delayed execution, until the generous intercession of the French Court afforded him a sufficient excuse for releasing the English officer.

Washington's apprehensions as to relaxation.

When the resolution of the British Government to desist from any farther efforts to conquer the territory of the United States was promulgated in America, Washington, so far from welcoming the intelligence as the triumph of his cause, became apprehensive, lest his countrymen, who had shewn so strong a disposition to devolve upon their allies, the vindication of their liberties, should now think themselves justified in suspending farther exertions for independence, which seemed to be virtually conceded. Washington represented to Congress the fatal consequences which would probably follow a premature relaxation of their efforts; and, as he had now acquired an ascendancy in that body, his counsels were implicitly followed. Votes of men and money were unanimously passed, as if the war was to be carried on with unabated vigour. But the authority of Congress was no longer what it had been. Supplies of money came in slowly, and but few recruits could be obtained. When Washington returned to the camp in April, he found his effective force under ten thousand men. So great, indeed, was the contempt into which Congress had fallen, that many of the officers at head-quarters urged Washington to put an end to the phantom of republican government, and to assume the supreme executive authority. But these overtures were

rebuked in such a peremptory manner, that no attempt was made to renew the proposal.

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Meanwhile the war was actively prosecuted by France and Spain. The siege of Gibraltar was vigorously pressed by the Spaniards; and the French court, elated by their success in the West Indies, aimed at the entire conquest of the British possessions in the Carribbean Sea, and hoped to retrieve their position in the East Indies. The Count de Grasse, early in the year, sailed for Martinique, for the purpose of refitting, shipping troops, and effecting a junction with a Spanish squadron which lay off Cape François, preparatory to a grand attack on Jamaica. Rodney had returned to England in December, to urge upon the Government the expediency of fitting out a powerful fleet for service in the West Indies, early in the spring. His representations happily prevailed, notwithstanding the violent clamour of the Opposition, who would have had the fleet employed in the precarious and secondary object of intercepting supplies, instead of anticipating their arrival by proceeding at once to the scene of action, and striking a weighty blow at the unprepared enemy. The zeal and energy of the Admiral were adequately supported by Lord Sandwich, whose administrative ability was of the highest order. On the 19th of February, Rodney reached Barbadoes with fourteen sail of the line, which, with the squadron under Hood, made the English fleet equal to the fleet which lay at Martinique,

Siege of Gibraltar.

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under the command of the Count de Grasse. The object of Rodney was to bring the Frenchman to an engagement before he could effect a junction with his ally. Between his anchorage at St. Lucie, and that of the French at Martinique, he established a line of frigates, by which every movement of the enemy was signalled to him with the utmost celerity. On the 8th of April, Rodney was informed that the French Admiral had put to sea.

Rodney's victory.

Within two hours after this intelligence had reached him, the English fleet was under weigh. The next morning he was near enough to open a cannonade on the rear of the French fleet, but could not bring them to a general engagement. On the two following days, the enemy, favoured by the wind, had nearly effected his escape; but, through an incautious movement on the evening of the 11th, Rodney was enabled to get to windward. An action was now inevitable. The French had thirty sail of the line; the English had thirty-six. The firing commenced at half past seven in the morning of the 12th of April, and raged until sunset. But the fortune of the day was decided by a celebrated manœuvre, called breaking the line, which, if not invented by Rodney, was certainly on this day for the first time attempted. By this daring movement, the enemy's line of battle was separated, and thrown into confusion. The Count de Grasse, however, in the centre of the broken line, continued to fight his flag-ship, the renowned Ville de Paris, the largest man-of-

war on the seas. She found her match in a British seventy-four. Shattered to a wreck by the broadsides of the Canada, the Ville de Paris still kept her colours flying, until Sir Samuel Hood, coming up with his ship, the Barfleur, which had not yet been engaged, in a few minutes compelled his brave antagonist to strike. Hood, who commanded the rearward division of six sail of the line, having been becalmed during the greater part of the day, this great battle was fought with a nearly equal number of ships on each side; but the French ships were more fully manned, and carried a greater weight of metal than the English. The victory was complete. Seven ships were taken; the loss of the enemy in killed and wounded was computed to exceed nine thousand, while that of the English was under a thousand; the French commander-in-chief was taken prisoner. The military chest, and all the artillery intended for the great expedition against Jamaica, fell into the hands of the British; and the shattered remnants of the French fleet which escaped, were no longer available for active service.

Exultation in England.

The news of Rodney's victory was received in England with a burst of joy and exultation. The pride of the country had lately suffered severe mortification. The Colonies, which she had ruled with so high a hand, had defied her power, and cast away her yoke. Her ancient enemies had wrested from her some of her richest possessions in the New World; and they had insulted her very

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shores with impunity. She was no longer the ruler of the seas; her commerce had been fain to seek the protection of a foreign flag; and the British waters swarmed with cruisers, which roamed the channel, intercepted the communication between England and Ireland, and alarmed the ports and roadsteads of the British Isles.[a] Oppressed by this series of misfortunes, the spirit of the nation had sunk, and she was seeking, if not suing, for peace; while her insolent foes talked of insisting upon terms which should make England feel the humiliation and defeat which she had formerly inflicted upon them. The English Government had fondly hoped, that the unqualified concession of the American claims would be accepted as a satisfactory basis of treaty by all the belligerents. But the ministers of the Great Powers at once declared, that the recognition of the independence of America would be no satisfaction to *them*; in vain had the British plenipotentiary represented the advantage which France and Spain would acquire in the diminution of the power of Great Britain by the loss of thirteen Colonies; the cessions she was prepared to make in the East and West Indies, and the adjustment of the long-vexed question of the fisheries. The Count de Vergennes, on the part of France, had plainly told Mr. Grenville, that such proposals as these would not be a sufficient basis

[a] M'PHERSON'S *Annals of Commerce*, vol. iii. p. 611.

for a treaty; intimating that Great Britain must submit to far more important and extensive sacrifices; and he hinted at the nature and extent of these sacrifices by an explicit allusion to the East Indies. 'Why not,' said he, 'content yourselves with Bengal? Your arms are grown too long for your body. We have experienced every kind of indignity from you in India, and that chiefly owing to the terms of the last peace—a peace which I cannot read without shuddering.' He added, 'that in making a new treaty, France must be relieved from every condition inconsistent with her dignity.'[b]

Such was the state of affairs when the great event of the 12th of April was announced at Paris and at London. It produced almost as sensible an effect in the one capital as in the other. The French Government were bitterly disappointed. For the first time, after centuries of warfare, they had beheld the prospect of a peace which should redound to the glory of France and the humiliation of the haughty islanders. The disgraceful terms of the last treaty, which had been dictated to France by her triumphant rival, would be annulled. The rich possessions in the Western tropic, which had been taken from her, would be restored; and

[b] Abstract of State of Secret Negotiations, Paris, May 10th, 1782. From Mr. Grenville. This conversation is alluded to at the commencement of Fox's letter to Grenville, of May 21st.—*Courts and Cabinets of George the Third*, vol. i. p. 28.

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she would assert her right to an equal share in the vast empire in the East. But now, that England had recovered her wonted ascendancy upon the seas, these ambitious hopes must be moderated, if not abandoned. The high tone which De Vergennes and D'Aranda had adopted in the conference of the 10th of May was at once lowered; and, unless some unforeseen reverse should still befall the arms of Great Britain, there was every prospect of bringing the war to a speedy and honourable termination.[c]

It would be too much, perhaps, to say, that there was a party in England which shared the disappointment of the enemy; but it is certain, that the Whig Ministry, by a perverse and unjustifiable error, had excluded themselves from any share in the success and glory of the British arms. The expedition, which had been attended with such a great result, had been planned by the former Government; and the admirable officer whom they had charged with the conduct of that expedition, in spite of the obloquy heaped upon him and them by their opponents, was superseded in his command only a few days

[c] When Mr. Oswald arrived, the French journalists, who published only what they were permitted, announced the event with this comment:—'It will not be an easy matter; we are sure of Gibraltar and Jamaica; and probably the English will not long retain any colony in the West Indies; nor are their prospects, to our certain knowledge, very brilliant in India.'—ADOLPHUS's *History*, vol. iii. p. 391.

before his victory was announced in London. In fact, the first despatch which Rodney received after the action, was a letter from the Secretary of the Admiralty, couched in the driest terms of official brevity, informing him that Admiral Pigot had been appointed his successor, and ordering him to proceed immediately to Barbadoes to relinquish his command. When the unlooked-for, if not unwelcome news of the 12th of April arrived, an express was despatched to stop the departure of the new Admiral, but it was too late; and while the West Indian fleet were eagerly anticipating what England would say to the 12th of April, they learned, to their astonishment and dismay, that their renowned commander had been ordered to strike his flag.

Whig dislike to Rodney.

Had the Government, soon after their accession to power, asserted their right of appointing an officer in whom they had confidence, to the important command in the West Indies, they would have had a fair pretext for gratifying their known dislike of Rodney. The factious clamour with which they had pursued the Admiral for his conduct in the affair of St. Eustatia, had not been without effect; and a large portion of the public regarded Rodney as a violent and arbitrary officer, who had confiscated British property, and wantonly interfered with the freedom of commerce. But it was not until several weeks had elapsed, that the Ministry decided on recalling Rodney. Before his successor could reach the station, sum-

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mer would have commenced. Rodney had left England to join his squadron in December. The Admiralty knew that Rodney's plan was to prevent the junction of the French and Spanish fleets; and knowing this plan, knowing also the energetic character of the man, they ought to have calculated upon its failure or success before the month of June. If they continued, when in office, to disapprove of the plan, which they had so vehemently censured when in opposition, they might perhaps, by extraordinary despatch, have prevented the rash enterprise; but the recall of Rodney in the month of May, nothing having intervened to justify such a step, and the manner of his recall, seemed to spring more from private enmity than from regard to the public service.

Public astonishment at Rodney's recall.

Great was the astonishment of the people when it became known, that the Admiral who had revived the fading glory of the British flag, was suddenly disgraced: nor did it escape notice, that the hand which dictated this unparalleled insult was that of a rival chief, who had been tried and found wanting. The First Lord of the Admiralty was Keppel, who, in 1778, had been sent out to fight, and had sailed back hastily into port, on vague intelligence that the enemy numbered a few more sail than the fleet which he commanded; and who, when he afterwards met the French on equal terms, was content with holding his own, instead of winning, or striving to win, a glorious victory. It was not forgotten either how he had attempted to

shift the blame of this failure upon his subordinate officer. This same Keppel, whom party spirit had for a time elevated into a hero, but who had long since sunk to his proper level, had lately, by the same party zeal, been raised to the peerage, and placed at the head of the service. Ch. 27. 1782

The members of the late Administration did not neglect so fair an opportunity of retorting upon their old opponents. The removal of Rodney was made the subject of severe animadversion in both Houses. Lord Keppel, unable to justify the act, had the meanness and folly to evade even the admission of it. He said, that no evidence of any such act could be produced, and that it was to be treated only as a vague report, not fit for discussion in Parliament. This pettifogging quibble was followed by immediate exposure. The question was distinctly put to Ministers in the House of Commons; and Fox, with the frankness which belonged to him, avowed that Rodney had been recalled, and gave the best reason which he could give for an act so ill-advised. He said, that Rodney had caused great offence and alarm to the planters by his conduct in the affair of St. Eustatia, and that, therefore, it had been thought expedient, before the recent intelligence had arrived, to remove him from the West India station. The real reason, no doubt, was, that Rodney had owed his appointment to the special favour of the King. A peerage and a pension were, of course, conferred upon the Admiral. Sir Samuel Hood, the second

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in command in the action of the 12th of April, was raised to the Irish peerage. Two other officers, Admiral Drake and Commodore Affleck, were made baronets.

Negotiations with France.

The English Government hastened to assure the Court of Versailles, that, notwithstanding the success which had attended the British arms, their desire for peace was undiminished. Nevertheless, the negotiations lingered. The tone which the French Minister had assumed in the conversation with Grenville on the 10th of May could hardly be maintained; but the propositions which he made were so vague and indeterminate, that his object was evidently to gain time. Spain, intent on the siege of Gibraltar, and limiting her views to the acquisition of that fortress, was unwilling to conclude a peace until her object could be secured. The fall of Gibraltar, which the Court of Madrid confidently expected as the result of the great efforts they had made, would compensate the Allies for the failure of their designs upon Jamaica, and would enable them to obtain terms which, in the existing state of affairs, they could hardly advance with any prospect of success.

On the change of Ministry in July, Lord Shelburne, as the head of the new Government, renewed his pacific assurances to the two Courts; and, Mr. Grenville having resigned his credentials, Mr. Fitzherbert was associated with Mr. Oswald in a commission to negotiate a treaty. On this occasion, Holland, which had hitherto taken

no part in the conferences, was, at her own instance, admitted as a party to the negotiations. The Rockingham administration had made overtures to the Dutch through the mediation of the Czarina. Fox, with a view to propitiate the Court of Petersburg, as well as to detach Holland from the hostile alliance, offered to concede the main principle of the Armed Neutrality, the freedom of the seas. The Dutch were willing to accept terms which would have redounded so much to their honour and advantage; but the intrigues of the French Court with the party at the Hague, who were opposed to the English alliance, prevailed against the dictates of good sense and moderation; and, instead of withdrawing from the contest, the prolongation of which could only serve the purposes of their allies, the States entered into an engagement with France not to conclude a separate treaty. The consequences were, the blockade of the Dutch ports by a British squadron, which effectually prevented an intended expedition to the Baltic; the loss of all their settlements on the island of Sumatra, together with Negapatam in the country of the Tanjore, and the capture of several of their East India ships; the final result being that after the Great Powers had signed a peace at the end of the year, the States were forced to conclude a separate treaty with Great Britain, on conditions far less favourable than those which they had rejected a few months before.

When Lord Howe, who commanded the home

Ch. 27. squadron, had completed the blockade of the coast
1782 of Holland, his services were required to protect the Channel, menaced by the combined French and Spanish fleets, amounting to twenty-five sail of the line. Howe left Portsmouth with only twelve ships of the same class; but with this force he found it an easy duty to cover the home-bound merchantmen, and to guard the Channel against any effort of the enemy.

The combined fleets having left the coast of England, Lord Howe was at liberty to proceed to the relief of Gibraltar, which had been closely invested for nearly three years. At first, the Spanish had endeavoured to starve the place; but their blockade having been on two occasions forced by the British fleet, they relinquished that plan, and commenced a regular siege. During the spring and summer of 1781, the fortress was bombarded, but with little success; in the month of November, the enemy were driven from their approaches, and the works themselves were almost destroyed by a well-directed sally from the garrison. Early in the year, however, the fall of Minorca enabled the Spanish to re-form the siege of Gibraltar. De Crillon himself, the hero of Minorca, superseding Alvarez, assumed the chief command. He was joined by the two young French princes, the Count d'Artois and the Duke de Bourbon, sent to learn the art of war, and to grace the anticipated triumph of the French arms under such a renowned commander. Nor were

their expectations presumptuous. The garrison of Gibraltar comprised no more than seven thousand men; while the force of the allied monarchies amounted to thirty-three thousand soldiers, with an immense train of artillery. De Crillon, however, who was well acquainted with the fortress, had little hope of taking it from the land side, but relied with confidence on the formidable preparations which he had made for bombarding it from the sea. Huge floating batteries, bomb-proof and shot-proof, were constructed; and it was calculated, that the action of these tremendous engines alone would be sufficient to destroy the works. Besides the battering ships, of which ten were provided, a large armament of vessels of all rates was equipped; and a grand attack was to take place, both from sea and land, with four hundred pieces of artillery.

Six months were consumed in these formidable preparations; and it was not until September that they were completed. A partial cannonade took place on the 9th and three following days; but the great attack, which was to decide the fate of the beleaguered fortress, was commenced on the 13th of September. On that day, the combined fleets of France and Spain, consisting of forty-seven sail of the line, besides numerous ships of inferior rate, were drawn out in order of battle before Gibraltar. Numerous bomb ketches, gun and mortar boats, dropped their anchors within close range; while the ten floating batteries were

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moored with strong iron chains within half gunshot of the walls. On the land, a hundred and seventy guns were prepared to open fire simultaneously with the ships; and forty thousand troops were held in readiness to rush in at the first practicable breach. The heights around the rock of Gibraltar were covered with spectators, assembled to behold the most tremendous conflict of arms that had taken place since the invention of artillery.

Firmness of the garrison.

The garrison had witnessed the progress of the preparations for their destruction; and they awaited the event, not indeed with the arrogant confidence of their assailants, but without dismay. The natural strength of the rock was greater than that of any fortress in the world; and the art of the engineer had supplied every defect. The garrison were animated with that enduring courage, which never fails English soldiers who have confidence in their leader; and the commandant, General Elliot, was one of those veterans, whose experience, activity and courage, are calculated to inspire such confidence. Under his direction, every effort of the enemy had hitherto been repelled, and every damage had been promptly and effectually repaired. The well-directed sally of the 26th of November was not forgotten; and just before the completion of his arrangements, De Crillon beheld the best and strongest of his advanced works completely destroyed by an attack from the garrison.

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Floating batteries.

The grand attack was commenced on the 13th of September. At ten o'clock in the forenoon, the fire of four hundred pieces of artillery was opened on Gibraltar. The great floating batteries, securely anchored within six hundred yards of the walls, poured in an incessant storm from a hundred and forty-two heavy guns. Elliot had less than a hundred guns to reply to the cannonade both from sea and land; and of these he made the most judicious use. Disregarding the attack from every other quarter, he concentrated the whole of his ordnance on the floating batteries in front of him; for, unless these were silenced, their force would prove irresistible. But for a long time the thunder of eighty guns made no impression on the enormous masses of wood and iron. The largest shells glanced harmless from their sloping roofs; the heaviest shot could not penetrate their hulls, seven feet in thickness. Nevertheless, the artillery of the garrison was still unceasingly directed against these terrible engines of destruction. A storm of red-hot balls was poured down upon them; and about midday, it was observed that the combustion caused by these missiles, which had hitherto been promptly extinguished, was beginning to take effect. Soon after, the partial cessation of the guns from the battering ships, and the volumes of smoke which issued from their decks, made it manifest, that all the efforts of the crews were required to subdue the conflagration. Towards evening, their guns became silent; and

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before midnight, the flames burst forth from the principal floating battery, which carried the admiral's flag, illumining the whole scene of carnage, and enabling the garrison to complete the confusion of the enemy by a steady and well directed cannonade. Eight of the ten floating batteries were on fire during the night; and the only care of the besieged was to save from the flames and from the waters, the wretched survivors of that terrible flotilla, which had so recently menaced them with annihilation. This duty, it is needless to say, was undertaken with no less alacrity and zeal than that which had been so nobly discharged during the whole of this memorable day.

Loss of the besiegers.

The loss of the enemy was computed at two thousand; that of the garrison, in killed and wounded, amounted to no more than eighty-four. The labour of a few hours sufficed to repair the damage sustained by the works.

The French and Spanish fleets remained in the Straits, expecting the appearance of the British squadron under Lord Howe; and, relying on their superiority in ships and weight of metal, they still hoped that the result of an action at sea might enable them to resume the siege of Gibraltar. Howe, having been delayed by contrary winds, did not reach the Straits until the 9th of October; and, notwithstanding the superior array which the enemy presented, he was prepared to risk an engagement. But at this juncture, a storm having scattered the combined fleet, the British admiral

was enabled to land his stores and reinforcements without opposition. Having performed this duty, he set sail for England; nor did the Spanish admiral, though still superior by eight sail of the line, venture to dispute his passage.

Such was the close of the great siege of Gibraltar; an undertaking which had been regarded by Spain as the chief object of the war, which she had prosecuted for three years, and which, at the last, had been pressed by the whole force of the allied monarchies.[d] After this event, the war itself was virtually at an end. The blockade of Gibraltar continued, as a matter of form, until the conclusion of peace; but the garrison, amply provisioned, sustained no privation from the presence of the combined fleets, and no further offensive operation was attempted. In the West Indies, the power of the enemy had been effectually broken by Rodney's victory. The Bahama islands were surprised and taken by a small expedition, fitted out by the Governor of Cuba; and the English retaliated by capturing some Spanish forts on the Mosquito shore.

Blockade a mere form.

These events could not fail to facilitate the progress of negotiations at Paris. The Americans, their main object being attained by the recognition

[d] The Court of Madrid had been flattered with the certain hope of achieving this object, so important to their pride and power. Every morning the King enquired if Gibraltar was taken, and when answered in the negative, always replied, 'It soon will be.'—Coxe's *Kings of Spain*, vol. v. p. 121.

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Negotiations for peace.

of their independence, had no desire to protract the war for French and Spanish purposes, in which they were nowise interested; and, as their treaty with the Court of Versailles precluded them only from *concluding* a separate peace, there was no obstacle to a separate negotiation with England up to the final point. Accordingly, the conduct of a treaty was entrusted to four commissioners on the part of the Americans, Dr. Franklin, Mr. Gay, Mr. Adams, and Mr. Sanders. The British plenipotentiaries were Mr. Oswald and Mr. Fitzherbert, who succeeded Grenville. The terms were adjusted without any serious difficulty. The principal point of difference arose with regard to the Royalists. The British Government felt bound to stipulate for the protection and indemnity of those faithful subjects of the crown, who, throughout the various fortunes of the struggle, had maintained, and were still willing to adhere to their allegiance.[e] But the Commissioners urged, with truth, that the Congress itself had no power to enter into any such engagement, and could do no more than recommend the several States which

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[e] I have before me a paper drawn up by Mr. Galloway, of Pennsylvania, the Member of Congress, who had joined the Royalists in the declaration of independence, and submitted to the Government so late as the 14th of August, 1782. This paper contained a detailed plan for the future prosecution of the war, and gives the most encouraging account of the Loyalists, both as regards their numbers and their ardour for the service of the Crown.—Bolton MS.

they represented to make restitution when it was practicable to Loyalists, who had been deprived of their property by the Provincial Governments. The British Commissioners, however, were instructed to press for a more satisfactory adjustment of this point; and it was not until Franklin set up a counter claim on behalf of his countrymen, whose property had been destroyed by the Loyalists, that the English Cabinet consented to a considerable modification of their first proposal.

Question of compensation.

It was agreed, that Congress should *recommend* the several States to restore the property of British subjects, who had not borne arms against them during the war; and that other persons should be permitted to wind-up their affairs, and to obtain restitution of their forfeited estates on payment of the sums for which they had been sold. These recommendations, the American Commissioners were assured, would have full force and effect. On the other hand, the claim put forth on behalf of the Americans, whose property had been destroyed was absolutely withdrawn, and no further mention was made of the proposition suggested by Franklin, at the commencement of the negotiation, that Canada should be ceded by way of indemnity. Provision was made for reviving the rights of British creditors of American citizens, which had been suspended since the commencement of the war. The boundaries of the new sovereignty were adjusted. The right of taking fish on the banks of Newfoundland was

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conceded by Great Britain; and the free navigation of the Mississippi was secured. The great point which had given rise to much controversy in the Cabinet of Lord Rockingham, namely, whether the independence should be immediately acknowledged, or should be ratified by express agreement between the contracting powers, was ultimately decided in the sense opposed to the opinion of the Rockingham Whigs. By the first article of the treaty the Thirteen Provinces were recognised as free, sovereign, and independent states.

These were the principal articles of the provisional treaty, which was signed at Paris on the 30th of November. The main point having been conceded without any reserve or qualification,[f] and in a manner which became the magnanimity of a great nation, the remaining terms were little

[f] The King was extremely averse to the unqualified concession of the independence. The day after the Cabinet had decided upon unconditional acknowledgment, the Chancellor, who, above all the ministers, possessed the confidence of the King, wrote a private letter to Lord Shelburne, urging some modification of a term so humiliating to the country. But, though 'he cannot part with a persuasion he has so long entertained, that something more might be done upon this point,' Thurlow, true to the character in which Pitt afterwards described him, 'objecting to everything and proposing nothing,' suggests no modification of the offensive term.—Bolton MS. Had it not been for the firmness of the Whigs in adhering to the independence in its integrity, it is probable that the war would have been renewed, and that England would ultimately have been compelled to yield the point under circumstances of real humiliation.

more than matters of detail, and certainly contained nothing inconsistent either with the interest or the dignity of Great Britain. The only point contested by the Government of the King, though a point proper to be named, and even pressed to a certain extent, were it only from respect to the parties whom it concerned, was really untenable. The claims of the Loyalists were undeniable; but they were claims upon Great Britain, not upon the American States. The Loyalists had taken part with the Crown against their countrymen, who were in arms for independence; and the cause of independence having prevailed, they must abide the fortune of war. If the issue of the struggle had been otherwise, and the imperial Government had succeeded in asserting its authority, the Loyalists would have been justified in demanding the restitution of the property of which they had been deprived by rebels; but when the rebellion was successful, and the insurgent people had been recognised as an independent sovereignty, the advancement of any pretensions to indemnity by the inhabitants, whose proprietary rights had been confiscated for resistance to the new Government, became absurd. The American Loyalists had, in either event, a claim to indemnity from the parent state;[g] but they could not, at the same

[g] This claim was, in fact, recognised before the negotiation of the treaty. The annual allowances, by way of indemnity, to the American Loyalists already amounted to upwards of thirty-eight thousand pounds.—*Treasury Paper.*

Ch. 27. time, maintain a similar claim upon a government to which they had never owed allegiance.

1782 Provisional Treaty.

The provisional treaty was negotiated and signed by the American Commissioners without any concert with the French Government, a proceeding which gave much disgust to the Court of St. Germains. The conduct of the Americans in this respect was at least ungracious. It was no sufficient justification, that their ally had engaged in their quarrel from no interest in its object, but merely because it seemed to present a favourable opportunity for humbling the pride and power of his mighty rival. Great nations never take part in quarrels which do not immediately concern them, but from motives of policy and ambition; and if France took the part of the confederated States for her own purposes, it certainly was not for them to excuse their discourtesy and ingratitude by any such plea. The Americans had supplicated the aid of France; they had accepted her money; they had even been willing to leave the conquest of their liberties to her fleets and armies; and now, the confederated States had made terms with the common enemy, not only without the concurrence of their illustrious ally, but without any acknowledgment of his services. Such conduct, if technically in accordance with the treaty of 1778, was certainly inconsistent with the spirit of that treaty. There had been nothing in the conduct of the French Government to justify such ungenerous treatment.

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Unfair treatment of the French.

The French had faithfully performed all their engagements. In the present year, and after it had become known from the declaration of the British Government that the war in America was virtually at an end, the French King had nevertheless sent over six millions of livres (two hundred and fifty thousand pounds sterling) to Philadelphia, in continuation of his annual subsidy. The American minister at Paris had been admitted to the confidential counsels of the Court of St. Germains; nor does it appear that he had any sufficient ground for suspecting that the Government of the Most Christian King entertained views incompatible with the independence of his country, which had been expressly recognised by the treaty of 1778.[h] The truth appears to have been, that the Americans having obtained all they wanted, or could expect, were naturally apprehensive lest the conclusion of peace should be delayed or endangered, by the single point in which they were interested being complicated with European questions with which they had no concern.

Both France and Spain had taken up arms to

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[h] It was said that the Americans entertained suspicions of the good faith of France; these suspicions, however, if they were really entertained at the time, have since been rejected as wholly gratuitous. The intercepted despatch of M. de Marbois, the French Secretary of Legation at Philadelphia, which discloses some jealousy of the new republic, could not have determined the separate negotiation, as it did not come to light until that negotiation was in progress.

Ch. 27. aid the American people in the struggle for liberty; and though the pretence was sufficiently gross, it was nevertheless the avowed object of the war. But when Great Britain offered to concede this object, the European allies of the confederated States immediately set up pretensions of their own. The French minister 'could not allow the independence of America to be the only cause of war, because France had found, and not made America, independent;' and the Spanish minister declared 'that his master's griefs were totally distinct from the independence of America.'[1] The Americans, who were under no reciprocal engagement, either express or implied, to aid France and Spain in the prosecution of their separate claims upon Great Britain, might, therefore, after this intimation of the policy of the two Courts, have negotiated a separate treaty. And if they had justified their conduct on this ground, it would have been as much in accordance with good faith as it was with sound policy. But, instead of taking this plain course, the American Commissioners conducted the negotiations as if it were a clandestine correspondence, evaded the enquiries of the French minister, and answered him with representations at variance with the truth. Well might M. de Vergennes feel astonishment when he was informed by Franklin that the treaty be-

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Pretensions of France and Spain.

[1] *Secret Negotiations.* Paris, May, 1782.

tween Great Britain and the United States had been virtually concluded.[j]

Defection of America.

The defection of America from the common cause, together with the failure of the great enterprise which had been undertaken by the allied monarchies, left not a motive or pretext for continuing the war. The French minister no longer mentioned the vague and exorbitant demands which he had put forward in the spring. The British Government had then offered to negotiate on terms consistent with the treaty of 1763; the Government of His Most Christian Majesty declared that the principles of that treaty must be wholly abandoned. It was in vain, that Mr. Grenville had humbled his country so far as to urge the advantage which France would acquire by the severance of thirteen colonies from the sovereignty of Great Britain, and the full enjoyment of the fisheries on the banks of Newfoundland and in the Gulf of St. Lawrence, from the cession of the Islands St. Pierre and Miquelon.[k] These overtures were put aside, in the month of May, almost with contempt, and the British plenipotentiary was informed that 'justice and dignity' were the objects which France would principally consult in the next treaty; and that, besides full

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[j] De Vergennes to De la Luzerne, 19th December, 1782. Printed in FRANKLIN'S *Works*, vol. ix.

[k] 'O pour la peche,' said De Vergennes; 'vous allons arranger cela bien d'une autre maniere.' — *Secret Negotiations*. May, 1782.

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satisfaction on these heads, she would require an ample admission of the demands of her allies, Spain and Holland. But in the month of December the tone was changed; for, in the meantime, Rodney had saved the British empire in the West Indies; Elliot had held the Rock of Gibraltar against the whole force of the united monarchies; America was satisfied. No more was said about the reparation due to France for the indignity she had suffered by the treaty of 1763; she was glad to take Miquelon and St. Pierre; she dropped her demand for a large cession of territory in the East Indies, and her allies were left to make their own terms.

Concessions to France.

The treaties with France and Spain were therefore ultimately concluded on the basis of the peace of 1763. The basis which, of all others, the Counts de Vergennes and D'Aranda had declined in their first conference with the British minister, they were determined to exclude from the present negotiation. France obtained some minor modifications of that obnoxious treaty, but nothing commensurate with her pretensions, or equivalent to the cost of the war. The North American fisheries were restored, and confirmed in accordance with the former treaties, and the little islands of St. Pierre and Miquelon were ceded as fishing stations. In the West Indies, each Crown resumed its former possessions, with the exception of Tobago, which was ceded to France. In Africa, Great Britain gave up the Senegal river and

Goree, which she had acquired by the treaty of Paris. In India, the French regained their commercial establishments, but were strictly excluded from any military occupation in the British presidencies. The articles in the treaty of Utrecht, relative to the demolition of the fortress of Dunkirk, which had long lost all political importance, but which were offensive to the pride and honour of France, were willingly abrogated by the English Government. Ch. 27. 1782

The recovery of Gibraltar had long been the dearest object of the Court of Madrid; and, making an effort to obtain by treaty what they could no longer hope to obtain by arms, they offered any concession, short of a dismemberment of the monarchy, in exchange for this fortress. The people of England have long prized this famous rock, as highly as the nation to which it naturally belongs: but Gibraltar was at that time considered a fortress of secondary importance; and the British Government, were not unwilling to listen to the proposals of the Spanish Court, in this particular. But the glorious defence of Gibraltar had not yet ceased to be a topic of exultation throughout the country; and a strong repugnance having been expressed, both in Parliament and in public, to part with a possession, which, barren as it might be, was nevertheless associated with one of the most memorable achievements of British valour, the Court of Madrid was informed, that the project could not be

Offers of Spain to recover Gibraltar.

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entertained. A treaty was subsequently agreed to, containing terms, more advantageous on the whole than Spain had a right to expect. She retained her valuable conquest of Minorca; she remained in possession of West Florida; and East Florida was given up to her. It is true, that the Floridas were of little value to this country, but they were the only equivalent we had received, at the peace of 1763, for the restoration of the rich possessions in the West Indies, which the British arms had wrested from the Spanish crown. On the other hand, the old claim of cutting logwood in the Bay of Honduras was confirmed, and the Bahamas were restored. But, as these islands were recaptured by the British arms before the conclusion of the treaty, Spain had greatly the advantage in the adjustment of these terms.

Preliminaries of peace signed.

The preliminaries with France and Spain were signed on the 20th of January. Holland shared the usual fortune of a small state, which joins an offensive alliance with great powers, when there is no common interest in the war. The particular object of the Republic had been wholly disregarded in the negotiations at Paris. Holland, as a commercial nation, engrossing the greater part of the carrying trade of Europe, sought the freedom of the seas; and she had always resented the restrictions imposed by the English Navigation Act, as an impediment to her prosperity. The repeal or modification of that great law, which England considered as her maritime charter, was a leading

principal of Dutch policy; and Fox, when minister for foreign affairs, had, as we have seen, been willing to gratify the States in this particular. His overtures had been repelled; and now, when the other powers had withdrawn from the field of negotiation, Holland was eager to accept the terms which, a few months before, she had rudely rejected. But, though England, when pressed by enemies on every side, might have thought it worth while to pay a high price for the purpose of detaching even one party from the hostile league, there was no longer any consideration for such a sacrifice as the British Government had, at that time, been prepared to make. The States-General were ultimately compelled to conclude a peace with Great Britain on the footing of a mutual restitution of all conquests, with the single exception of Negapatam in the Tanjore country, which was retained by England.

Shelburne opposed by the Rockingham party.

While the negotiations were in progress, the Government of Lord Shelburne was threatened with an opposition in Parliament of a most formidable character. The members of the Rockingham connection, who had retired from office on the death of their chief, had conceived the most violent animosity against their former colleagues, and even prepared to adopt any means, and any pretext, for overthrowing the administration. Intent upon this object, and blinded to every consideration of principle or consistency, Fox and his friends made overtures to Lord North,

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and the party of the ex-minister. The generous and placable character of the principals, wholly free from gall and malice, offered no obstacle, on personal grounds, to a reconciliation; they said, that their political differences having related to one great question of imperial policy now settled, there remained no valid reason why they should refuse to co-operate for the public welfare. And the public exigency, which seemed to these eminent persons to demand such a sacrifice of consistency, and such a sudden oblivion of recent differences, was the conclusion of peace, which one of them had long thought desirable, and which the other, up to the moment of the coalition, had been engaged in negotiating as a minister of the Crown.

Intimidation of the Government.

The Government, intimidated by the combination which had been formed against them, did not venture to put their case upon high ground. The question which they proposed to the House of Commons was, whether such a peace as they had made was not preferable to the war in which they had found the country engaged? They urged the unparalleled increase of the public burdens, the interest of the debt more than doubled, the extreme difficulty of providing new resources, the want of ships and sailors, the failure of recruits for the army. We were engaged in war with two great military monarchies and three maritime powers. We had been worsted in the attempt to put down our insurgent colonies. We were

without an ally in Europe. In these circumstances we had purchased peace by the cession of an island in the West Indies, and the Floridas. We had submitted to the loss of Minorca; and had admitted the enemy to a participation in some fishing grounds, and to a share of our commerce in the East Indies. As to the Americans, we had done little more than recognise the independence which they had already conquered; and had made such arrangements with them, in respect of boundaries, as were calculated to prevent future dispute. And they fairly put it to the sense of Parliament, whether such terms were not preferable to a protracted war, the issue of which was doubtful, and which was carried on at an annual expenditure of sixteen or twenty millions.

Virulence of Opposition.

But if the Ministry were too diffident in the defence of the treaty, the Opposition were grossly extravagant in their censure. A worse peace, according to them, could not have been concluded. It beggared all former treaties in infamy and disgrace; and exposed to the whole world the dismemberment and division of the British empire. These monstrous assertions were supported by petty criticism and cavils, for which any measure, however just and wise, will afford scope to the ingenuity of faction. One of the objections urged, may serve as a sample of the rest. It was admitted, that Dunkirk could no longer be considered of the same importance as it appeared to the framers of

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the peace of Utrecht; still, it was urged, the presence of an English commissioner on the territory of the enemy, for the purpose of preventing the erection of fortifications was desirable, because it perpetuated the memory of former victories, exalted the dignity of Great Britain, and humbled the pride of France! It was Lord North, who condescended to employ this silly and unworthy argument.

The treaties condemned.

The treaties, though defended by the consummate skill and eloquence of Pitt, and though really open to no considerable objection, were nevertheless, condemned by a majority of the House of Commons.[1] In other words, the combination of parties, succeeded in their object of destroying the administration; for the very orators who were loudest in their invectives against the treaties, denouncing them as disgraceful and ruinous to the country, still cautiously disclaimed any intention of departing from the engagements which had been made, or even of desiring any modification of such terms.

Amendment to the Address.

The sense of the House of Commons, was, in the first instance, taken as an amendment to the Address, reserving to the House the power of disapproving the terms of the treaty, and expressing sympathy with the American loyalists. This was followed up a few days after, by certain resolutions, declaring the concessions made to the

[1] The numbers were, 224 to 208.

enemy unnecessarily liberal. The resolutions were carried by a majority of seventeen. Ch. 27. 1783

Lord Shelburne immediately resigned; but the other members of the Government carried on the ordinary business of their respective offices, until their successors were appointed. The Coalition did not find it so easy to profit by their victory as they had anticipated. Several weeks elapsed before the new arrangements were completed, the delay being caused by the repugnance of the King to submit to the dictation of the Cabal. It seemed that his labour for the last twenty years had been thrown away, and that the capital object of his policy, which he had hoped to have seen securely effected, was doomed to disappointment and defeat. Little did His Majesty think, that the means which had been taken to frustrate his purpose, were exactly calculated to favour and confirm it. His king-craft seemed to be altogether baffled. His policy had been brought into universal disrepute by the American war. The Economical Reform Acts, had struck a blow at the foundation of his system. He had lost in Lord North, an agent, such as he could not hope to replace—pliant, yet able; eloquent and ingenious, yet of popular manner, and, amidst the corruption with which he was surrounded, of spotless integrity. To complete the discomfiture of the Court, a demand for responsible Government and honest representation had arisen, and was rapidly spreading through the country. An Resignation of Lord Shelburne.

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upright consistent conduct on the part of those public men, who, for a series of years, had opposed the measures of the Court, was alone wanting to consolidate public opinion, and to restrain the undue influence of the Crown. But, at this critical moment, the Whigs, instead of being united in the common cause, no sooner found themselves in power, than they resumed those petty struggles for the ascendancy, in which they had wasted their energies, when they had no competitor for power. When North's administration was driven from office, the jealousy of the great Whig leaders rendered the formation of a new cabinet a work of much difficulty. The Marquis of Rockingham, and the Earl of Shelburne, were statesmen of long standing, and great authority. They agreed upon every important question of public policy, and differed no more than men of independent judgment must differ, as to the conduct of public affairs. They shared the responsibility of the votes, which removed the late ministry from office. But, each of these powerful noblemen was the head of a faction; neither would yield precedence to the other; and, as every administration must have a chief, it was difficult to see how a point of so much nicety could be adjusted. At length the King, with whom the decision rested, hit upon a mode of preferment, which should have the effect of mortifying the object of his choice. He named Rockingham Prime Minister, but refused to admit him

to an audience during the progress of the arrangements of the new administration, which His Majesty chose to conduct through the medium of Shelburne. The principal offices were equally divided between the partisans of the rival leaders; and the administration being constructed upon this principle, discord and envy were introduced into its councils at the moment of its formation. The cabinet was a constant scene of intrigue and strife, for the three months of its existence. At a time when united and vigorous counsels should have guided the executive government, either in the prosecution of the war against the allied enemies of the country, or in the negotiation of a safe and honorable peace, the Whig administration, distracted by party division, made foreign policy the battle-ground of their internecine conflict. If the cabinet had been composed of logicians and wranglers, a question whether the independence of America should be acknowledged by a preliminary declaration, or by an article in the treaty, might have been discussed with much subtlety of argument; but that men of vigorous understanding and practised in affairs, like Fox and Shelburne, should have attached any real intrinsic importance to such a point would seem absolutely incredible. Yet Fox and his friends maintained one side of this question, while Shelburne and his followers maintained the other, as if the difference, which as far as it is intelligible, seems one of metaphysical nicety, was of the highest practical importance.

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The rival Secretaries of State appointed different emissaries to the seat of negotiation; while the Ministers of the great belligerents, puzzled by the conflicting pretensions of these diplomatists, withheld their confidence from both, and assumed a tone of insolence and dictation, which the weakness and distraction of the British counsels seemed to warrant. When the Rockingham party were in the ascendant, the Foreign Ministers were informed that the sovereignty of the American States would be unconditionally recognised; when the Shelburne faction prevailed, the recognition was to form an article in the treaty. Shelburne's agent at Paris privately discusses with the American Minister a plan for the cession of Canada; and insinuates that he is about to be accredited with full powers. The Plenipotentiary of the Foreign Office, on discovering this intrigue, reports it in high indignation to his friend and patron.[m] Fox immediately instructed Grenville to furnish him with the evidence of this transaction, for the purpose of ruining his colleague. Happily for England, this tangled skein of diplomacy and intrigue was at length severed by the sword of Rodney and of Elliot.

Death of Rockingham.

The death of Rockingham broke up this ill-assorted Administration, and broke up also the

[m] Grenville to Fox, June 10th, 1782.—*Courts and Cabinets of George the Third*, vol. i. p. 40. See also *Memoirs and Correspondence of Fox.*

party which had been held together by the moderation and authority of its chief. Several members of the Rockingham connection saw no sufficient reason for abandoning the Government at such a critical period. Keppel, though agreeing with Fox and Cavendish, that remaining in office under such circumstances, involved a sacrifice of party interests, had public spirit enough to feel that the circumstances of the country demanded such a sacrifice; and he retained his post at the head of the Admiralty until the war was virtually terminated by the progress of the negotiations at Paris.

Virulence of Fox and Burke.

Nor sooner had Fox and his friends quitted the Government, than they turned round upon their remaining colleagues, and attacked them with a ferocity which had not been exceeded during the many years that they had pursued the Administration of their predecessors. Fox, from the impetuosity of his character, and Burke, from infirmity of temper, seemed alike incapable of employing the language of moderation, or even of decency. Both these eminent men had, by their previous conduct, disarmed themselves of any effective argument against the treaties; but Lord North laboured under no such disability. He had, indeed, for the last three years, been the unwilling agent of carrying on a war which he believed to be hopeless; but so far from thinking that the independence of the American States should be unconditionally recognised, he dissented

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expressly from this position; and, while there was no intelligible difference on the point between Fox and Shelburne, Lord North had declared, after his retirement from office, that the independence ought not to be conceded without an equivalent; that the country was not reduced to that abject state, as to accept such terms as the enemy might offer, and that parliament should be unanimous in demanding an honourable peace, or in prosecuting a vigorous war. With these sentiments, it was competent to Lord North to object to the treaties, and to accept the alternative of their rejection; but the Whigs, who had openly espoused the cause of the insurgents, and bewailed the success of the British arms, were in a very different situation.

The Coalition Ministry.

The Coalition had been arranged chiefly through the agency of Lord John Townshend, Burke, George North, and Eden;[n] and on the 14th of February, three days before the debate on the preliminaries, a meeting took place between Fox and North to complete this inauspicious compact. The terms were easily settled. Economical reform was to be pushed no farther. Parliamentary reform was to be an open question. Fox stipulated, that, in the contemplated ministry, the King should not be chief minister. To this Lord North replied, 'If you mean there should not be a government

[n] Lord J. Townshend to Lord Holland, 1830.—Fox's *Correspondence*, vol. ii. p. 21.

of departments, I agree with you; I think it a very bad system. There should be one man, or a cabinet, to govern the whole, and direct every thing. Government by departments was not brought in by me. I found it so; and had not vigour and resolution to put an end to it. The King ought to be treated with all sort of respect and attention, but the appearance of power is all that a King of this country can have.'[o]

Propositions of Fox and Pitt.

Lord Shelburne having retired, it was thought that his friends might be rallied under the lead of Mr. Pitt, that Fox might come back with the Rockingham party, that a dissolution of Parliament would disperse the old followers of Lord North, and that a new parliament might be assembled in support of a united Government. But personal prejudices again interposed to prevent an arrangement so desirable. Pitt was unwilling to act without Shelburne, and Fox refused to act with him. Fox was again committed to North, with whom Pitt declined to form a connection. Fox proposed to the Shelburne party to support an administration which should not include their chief; and Pitt made overtures to the friends of Lord North for a coalition, based on the exclusion of Lord North. It was easy to foresee the result of negotiations such as these. Every attempt to combine the existing elements of party proved fruitless. Still, the King left no

[o] Fox's *Correspondence*, vol. ii. p. 38.

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effort untried rather than submit to the dictation of the Whigs; and, as usual, he threatened to go to Hanover, if he could not have his own way. A few days after the resignation of Shelburne, he offered the Government to Pitt; and the aspiring youth was even then willing to undertake the responsibility, but finding no encouragement from his friends in such a daring attempt, he was reluctantly obliged to withdraw the consent which he had given a few hours before. The King then successively offered the post of minister to Lord Gower and to the Duke of Portland; but the former prudently declined, and the latter was no more than a passive instrument in the hands of the Whigs.

Lord North's refusal of office.

At last he sent for Lord North, and made a second appeal to his tried loyalty and fidelity to his sovereign. But Lord North was resolved never again to be placed at the head of a Government of King's friends. To His Majesty's entreaties he offered a firm refusal, and took the liberty of recommending the nominee of the Whigs, the Duke of Portland, as a proper person to be entrusted with His Majesty's commands. The King, vexed and disappointed at this reply, terminated the audience by wishing his old servant good evening.

Formation of a new ministry.

Five days after this interview, however, the new arrangements were announced. The House of Commons had already voted an address to the Crown, praying for the appointment of an united

administration; and another motion of a still more pointed character was threatened. The King, finding all his resources exhausted, at length reluctantly yielded to a coalition, which, he thought, and not without reason, would prove fatal to his power. The Duke of Portland became First Lord of the Treasury; Fox and North were Secretaries of State. Lord John Cavendish, Lords Keppel, Stormont, and Carlisle were the other members of the Cabinet. The Great Seal was put in commission, the King having in vain striven to keep Thurlow in office. The other offices were divided between the principal adherents of Fox and North. Burke resumed the office of Paymaster. Though the Coalition Cabinet did not immediately encounter any formidable opposition, its fate was sealed in the hour of its birth. Both Whigs and Tories agreed in reprobating a union which set all political consistency at defiance, and which seemed to be prompted only by a shameless appetite for place and power. But the organization of old-established parties is not easily dissolved. The obligation of party ties was, at that time, for the most part, scrupulously respected. The effect of the close-borough system was, to suppress the exercise of independent judgment. The same kind of discipline, which now precludes a member of the Government from voting against any measure sanctioned by the First Minister, then precluded any nominee of a borough proprietor from voting against the wishes of his patron; and, as the

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House of Commons was, to the extent at least of two-fifths, composed of nominees, it followed, that the King's Government was not subjected to those sudden gusts of passion and prejudice which agitate assemblies elected by popular suffrage, and which render the action of modern administrations uncertain, in proportion as their existence is precarious.

Rupture in the Coalition.

The same seeds of disunion, which had, in due time, destroyed the administration of Lord Rockingham, were brought into the Cabinet of the Coalition, and would, without doubt, in the absence of any other cause, eventually have rent it asunder. The Whigs, with their usual arrogance, refused to allow Lord North a single nomination to the Cabinet, although the parliamentary contingent which he brought to its support far exceeded the following of all his coadjutors.[p] A few days before the Ministry was finally arranged, the Coalition had actually come to a rupture on this point. The Rockingham party were ultimately forced to give way; and Lord Stormont, the nominee of North, was reluctantly admitted to a seat in the Cabinet.[q]

Besides the disapprobation of their own supporters, the rising murmurs of public opinion, and their own internal divisions, the Coalition had to

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[p] Of the majority of 224 against the peace, Lord North's share was from 160 to 170. Mr. W. Grenville to Lord Temple, Feb. 19th, 1783.—*Courts and Cabinets of George the Third*, vol. i. p. 158.

[q] Grenville to Temple, March 20th.

encounter the determined and almost avowed hostility of the King. At the levée on the 26th of March, when Lord Shelburne formally resigned, the retiring Minister and his colleagues[r] received ostentatious marks of the royal favour, while their triumphant rivals were treated with undisguised aversion. The King had often been in secret opposition to his Ministers; but this opposition had been conducted through the medium of subordinate and irresponsible agents. On no former occasion, had he committed himself as he now did by writing to an eminent statesman, and expressing his desire, that support should be withheld from the ostensible advisers of the Crown.[r] Ch. 27. 1783

State of parties.

While the new Ministry rested on a foundation so unsound, beset with difficulties and dangers, it presented an outward appearance of strength and solidity. The great Rockingham party, which now comprehended the principal Whig families, led by an orator of unrivalled ability, was once more in power. The adherents of the old Ministry followed their chief, experienced in affairs far beyond any other member of the cabinet, inferior only to

[r] In a letter addressed to Lord Temple the day before the new Ministers kissed hands, His Majesty uses this language, 'Judge of the uneasiness of my mind at having been thwarted in every attempt to keep the administration of public affairs out of the hands of the most unprincipled coalition the annals of this, or any other country, can equal. I have withstood it, till not a single man is willing to come to my assistance, and till the House of Commons has taken every step but insisting on this faction being by name elected Ministers.'—*Courts and Cabinets*, vol. ii. p. 4.

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his great colleague and former rival in debate, and equally strong in personal popularity. The country was relieved from the pressure of a lengthened and disastrous war, upon terms which, if not so glorious as those which had been obtained twenty years before, were less humiliating to the national pride than might reasonably have been expected. No great question of domestic policy seemed likely to perplex the counsels of the Cabinet; and it might be hoped, that, after a long term of anxiety and excitement, the nation would willingly repose for some time under an able and united administration. The Opposition was almost confined to the party of Lord Shelburne, which consisted mainly of the old personal followers of Chatham, a party insignificant in numbers and family influence. The leader of this party, however, was a host in himself, the young aspiring son of Chatham, qualified to fulfil the sanguine expectations which his great name and early promise had inspired. But it seemed much more probable, that Pitt would eventually join the Government, than that he should engage in opposition to a combination of powerful parties under the guidance of leaders in the full maturity of abilities not inferior to his own.

Pitt's plan of Reform.

The first question of importance brought before the House of Commons after the new Ministers had taken their seats, was Pitt's motion on the subject of Parliamentary Reform. But if the aim was to embarrass an administration divided upon

this important question, it would have been difficult to shape the motion in a form less calculated for such a purpose. In the former year, following in the footsteps of his father, Mr. Pitt had proposed to transfer the franchise from decayed and corrupt boroughs to more considerable places, where freedom of election might be obtained. It is obvious, that a provision of this kind was the first point to be considered in any real plan for placing the representation of the people on a fair and equal basis. But in the plan which Mr. Pitt brought forward in 1783, this capital point almost disappeared. The whole of the *close* boroughs were left untouched; and to compensate the influence of nomination, it was proposed to add a hundred members to the counties, with the exception of a certain number, who were to be added to the representation of the metropolis. *Corrupt* boroughs were to be disfranchised when a majority of the electors should be convicted of corruption. It would have been difficult to devise a worse plan than this. The arbitrary nomination of members to the House of Commons is indefensible in theory, and had been found pernicious in practice. But by Pitt's plan, nomination was recognized as a permanent part of the constitution of the House of Commons, express provision being made that it should not overbalance the elective part of the system. The remedy for corrupt practices was utterly futile. It is no easy matter to bring home a charge of corruption against a single elector,

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however notorious his malpractices may have been. To convict a majority of the electors in any constituency of corruption, would have been simply impossible: nor is it necessary for the purposes of corruption, that the majority of the electors should be corrupt.

Opposition of Lord North.

The motion was opposed by Lord North and others, mainly on the ground, that there was no demand for parliamentary reform on the part of the people. No desire for direct representation had been expressed by the principal manufacturing towns, Manchester, Birmingham, Sheffield, Leeds, and Halifax. The few petitions on the table of the House, and which comprised no more than twenty thousand names, prayed for universal suffrage and annual parliaments; revolutionary proposals, which could not be satisfied by a partial and moderate measure of reform. Burke, who had always opposed, with his usual vehemency, any and every scheme for the amendment of the representation, started up to denounce the bill; but his rising, as had frequently happened, was the signal for the House to disperse; and the mortified orator resumed his seat in silence.[s] Lord North, on the contrary, was heard with fixed attention, while he combated the arguments of the reformers in a lengthened speech; and the interest which the question created was mani-

[s] Romilly's *Memoirs*, p. 277. Burke's speeches frequently contain querulous allusions to the impatience of the House.

fested by the unusually large attendance of members. The motion was rejected by a majority of one hundred and forty-four, in a House of four hundred and forty-two.

Irish Courts of Justice.

An act to recognize and confirm the independence of the Irish Courts of Justice, and a provision for the separate establishment of the Prince of Wales, who had attained his majority, were the only other measures of importance which engaged the attention of Parliament during the remainder of the session.

The great event of the recess was the conclusion of the treaties of peace with France, Spain and America. These treaties were substantially a confirmation of the preliminaries which had been signed some months previously, and the principal provisions of which have been already explained. The Emperor and the Czarina were admitted, in the character of mediators or formal parties, to the definitive treaties which were signed on the 3rd of September.

Termination of the War of Independence.

Thus terminated the great struggle in which England had been engaged for nine years. But though her pride had been humbled and her empire rent in twain, England, so far from having received a fatal blow, as her enemies fondly hoped, was only entering on another epoch of prosperity and grandeur. The very contest which the short-sighted perverseness of her statesmen had provoked, and in which the misconduct of her commanders had suffered her to be worsted, proved

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eventually more conducive to her welfare than any scheme of aggrandizement which could have been devised by political ambition, and accomplished by military skill. A great writer had recently demonstrated, that the maintenance of colonies for commercial purposes was a rude expedient, adverse to all sound principles of political economy; that, so far from promoting trade, it checked commercial enterprise; that the expences of contributing to the civil government of these dependencies, and of providing for their military defence, were, therefore so much money thrown away; and though the distinguished authority to whom I have referred[t] somewhat exaggerates the case, when he insists upon attributing the whole charges of the war of 1739 and of the succeeding war to colonial quarrels, which were rather the pretexts than the causes of these wars, it is certain, that, however useful the monopoly of colonial markets may be to a country in the infancy of its commerce, such artificial aids are altogether unnecessary to a matured state of mercantile development. But if it is true, as Adam Smith asserts, that the cost of the war of 1753, amounting to ninety millions, ought justly to be stated to the account of the colonies; the cost of the war of independence, amounting to one hundred and twenty millions, was, so far as the material interests of this country were concerned, the more

[t] SMITH'S *Wealth of Nations*. 'Colonial Policy.'

profitable outlay. America, released from the trammels which the selfish policy of this country had imposed upon her, sprang forward at once upon her prosperous career; and, in proportion as she has advanced in wealth and power, our free commercial intercourse with her has increased likewise, while all expenditure on her account has ceased, and the empire is no longer vulnerable at distant points, which no expenditure could adequately guard.

Unforeseen consequences of the struggle.

No statesman of the time foresaw these happy results of an event which appeared to be the most disastrous calamity that had yet befallen the British empire. But, after making every allowance for the benefits which both countries derived from the emancipation of the American colonies, the marvellous prosperity which has sprung from the commercial intercourse of the two nations, and which commenced almost at the moment of their political disunion, belongs mainly to the development of those great inventions which were in their infancy at the commencement of the American War. During the twelve succeeding years, the Spinning-jenny, the Water-frame, the Mule, and the Power-loom were brought nearly to perfection; and these magnificent engines only wanted the raw material to create sources of wealth, exceeding the dreams of fiction, and to confer upon the great mass of the population a material prosperity, such as the people of no other age or country had as yet enjoyed.

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In 1786, the year before Cartwright patented his second great power-loom, the whole imports of cotton wool from the British West Indies, the French, Spanish, Dutch and Portuguese colonies, Turkey and Smyrna, were under twenty millions of pounds; at the commencement of the nineteenth century, the Southern States of America, which had hitherto contributed a very small quantity, furnished nearly a third of the raw material consumed in the British manufacture; and, at the present time, three-fourths of the cotton wrought in this country[n] are supplied by the United States. There is, however, no connection between the independence of America and the cultivation of the cotton plant. If the relations between Great Britain and her colonies had remained uninterrupted, the law of demand and supply would probably have broken through political obstructions; but there can be little doubt, that the mother country would have found the difficulty of maintaining her political ascendancy greatly aggravated, when she became dependent on the skill and enterprize of the colony for the great staple of her trade and manufacture.

Causes of the war.

The War of Independence, judged as usual by the event, has received unqualified censure; and the case has been stated, on either side the Atlantic, as if England had been justly rebuked in the

[n] In 1857, 1,428,870 bales.—ELLISON'S *Handbook of the Cotton Trade.*

assertion of wanton and arbitrary power. But, as regards the origin of the quarrel between the mother country and the colony, I have already endeavoured to shew, that the assumption on the part of England to tax her dependencies, was no violation of their laws, and was in pursuance of the right reserved expressly in their charters.[v] The real grievance was the vexatious enforcement of those customs' duties, the right to impose which had never been disputed by the colonies. A wise and generous policy, which should have avoided the agitation of speculative questions, and consulted the commercial interests of the colonies, would, no doubt, have postponed for an indefinite period the separation of Great Britain and America; but it does not follow that the rigorous assertion of her rights, by the parent state, and the strict execution of laws, which were in that age considered necessary for the protection of revenue and the prosperity of commerce, justified the colonies in throwing off their allegiance. Still less was the insurrection of the colonies a sufficient reason why the imperial state should at once concede their demands, or refrain from attempting to maintain her authority by arms. The abstract right of any member of a sovereign state to separate itself, and declare its independence, is a doctrine which no theoretical writer has ever broached, and which

[v] Vol. i. p. 183. *et seq.*

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no practical statesman could for a moment recognize. Many an empire has been dismembered by the tyranny, folly, or weakness of the central government; but no government can tamely submit to the revolt of any of its subjects, and yet retain any security for its own existence.

Supremacy of George the Third.

Whatever, therefore, might have been the policy which provoked the quarrel, or which afterwards sought to heal the breach, England had no alternative, when her dependencies broke into open rebellion, than an appeal to the sword. George the Third was, at the commencement of the American War, the most powerful monarch that had reigned in this country since Elizabeth; his Parliament was obsequious, his people were loyal: but if, instead of defending the integrity of the empire, he had proposed, in 1774, to surrender his American Colonies, and to recognize them as independent United States, his throne had hardly withstood the shock of public indignation with which it would have been assailed. The sympathy with the American cause, which Chatham and other leaders of the Whig party so powerfully expressed, found little response in the nation. The colonists were generally regarded as selfish and insolent rebels, who, under the cloak of patriotism and independence, sought to evade the payment of their just contribution to the common defence of the realm.

It was not, indeed, until the conflict became a real struggle for empire, that the American War

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English indifference to American affairs.

excited much interest in the country; for the first year, at least, it was considered of no more importance than an insurrection of Caffres, or a Chinese insult at the present day. It was merely a question of time and adequate military force. That a few scattered settlements of tobacco-growers, negro-dealers, and smugglers, should dare to defy the whole force of the British Crown was marvellous enough; but that such presumption would be successful was an idea too wild and extravagant to enter into the mind of any inhabitant of this island before the evacuation of Boston by His Majesty's forces. Nor was such a design originally entertained by those American patriots who afterwards pursued it with so much vigour and constancy. The great intellect of Franklin had formed no plan for the independence of his country. The public spirit of Washington would have been satisfied with the redress of actual grievances. Even the Boston agitators, who first kindled the flames of war, would have been content to stop far short of separation. The Colonies, so far from being actuated by the spirit which has urged other subject states to conquer their freedom, were proud of their connection with this country; and it was only when the policy of England was aimed at their commercial interests, that their ancient loyalty received a check. Still the Colonies, with the exceptions of Massachusetts and Virginia, shewed every disposition to avoid a quarrel with the mother country; the non-

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importation compact was at first only partially adopted; and it was not until the Home Government manifested a determination to carry their measures by force, that the provinces organized an active resistance. At the first General Congress of the States, in 1774, moderate counsels prevailed; and while the grievances of which they complained were fully stated, the importance of British connexion was as fully recognized. That these were at the time the genuine sentiments of the great majority of the colonists there is abundant proof, although in the following year war was raging, and the provincial militia had encountered the King's troops in a pitched battle with a result almost doubtful.[w]

Negligence of the royal troops.

Even after the battle of Bunker's Hill, and the evacuation of Boston, the war was conducted by the royal army with a carelessness which argued a rash and unfounded contempt for the provincials. Famous regiments, which had encountered the legions of France and Spain, almost felt it an indignity to be sent against a raw colonial militia, led by farmers, shop-keepers, and publicans. It

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[w] The Congress of 1774, in their address to the people of Great Britain, used this language, 'You have been told that we are seditious, impatient of government, and desirous of independence. Be assured that these are not facts, but calumnies. Nearly all the leading men in the colonies believed, at this time, that proper representations to the English Government would ensure redress and accommodation upon fair and just terms.—Elliott's *New England History*, vol. ii. p. 381.

is true, that the half-clad, ill-fed, unpaid levies, which could with difficulty be kept to their standards, and hardly ever stood their ground in the open field against the disciplined troops of Europe, might not in themselves have been a very formidable force; but they were defending their own soil; they were animated by a cause more moving even than military glory; they knew the country; they were favoured by their countrymen; they could disperse and re-unite; their habits peculiarly qualified them to act as sharpshooters;—an arm of the most harassing description to an invading army, which has to occupy an extensive and thinly-peopled country. It was the rifle which inflicted the first great disaster that befell the British arms, the destruction of Burgoyne's detachment. It was the same weapon, in the experienced hands of the 'minute' men, which cut off the stragglers and foraging parties of the enemy, rendering every forest a fortress, and every bush a redoubt. Nevertheless, had prompt and efficient military measures been taken at the outset, the rebellion would have been suppressed; and even in 1782, had England put forth her strength, she might have scattered the armies of Congress, garrisoned the principal cities, and established a chain of posts throughout the States; but she could not have conquered the country. The spirit of freedom, which had impelled a rude and unwarlike people to take up arms, and had enabled them, without military equipment or

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foreign aid, to hold their own for nearly seven years against the armies and foreign mercenaries of Great Britain, was not to be finally subdued by any force, however overwhelming, which might be brought against them. Nor would England have persevered in such an unprofitable and ungrateful effort. The war had been popular with all classes in the mother country, partly from that imperial spirit which could not brook the insolence of a revolted dependency, and partly, also, because it was believed, that America might be made to bear her share of the public burdens. But when it was found that the public burdens had been nearly doubled in the vain attempt to coerce the Colonies, the English nation were as ready to put an end to the struggle by yielding everything in dispute, as they had before been arrogant in demanding unconditional submission. George the Third, self-willed and obstinate as he was, could, nevertheless, discern the temper of his people; and when he reluctantly gave up the contest, he did so, assuredly not from a conviction that his military resources were exhausted, or that his arms were hopelessly worsted, but because he saw that the House of Commons represented the sense of the country in demanding peace.

Institution of Congress.

The narration of this great event has been of necessity brief, and therefore imperfect; but a reference to more copious details of the American revolution, and the war by which it was consummated, sufficiently shews, that if the conduct

of England throughout the transaction was neither wise nor magnanimous, the victorious colonists had exhibited few of the qualities by which the noblest efforts of patriotism have been achieved. The agitators of Boston, with whom the revolutionary movement originated, and by whom it was for the most part kept alive until the outbreak of hostilities, contributed little, either by their counsels or their valour, to the success of the cause. The Congress of Delegates, from the various provincial assemblies, was an idea worthy of a people united and determined to conquer their freedom. The earlier meetings of this great assembly were guided by prudent counsels, and animated by eloquence, not below the grandeur of its theme; nor did the delegates spend their energy in debate, nor waste the precious time for action in declamations about liberty. They hit, with happy precision, the moment for casting aside temporary measures, and committing their constituents, while still irresolute, to a final conflict with the power of Great Britain. The Declaration of Independence followed promptly the collision of arms. Up to this period, the Congress of the United States may bear comparison with the most renowned Senates and Parliaments of any age or country. But, after the Declaration, the vigour of the assembly seemed to be exhausted. It lost its control over the provinces; it became an arena for personal jealousies and selfish aims; its deliberations had no result, and its counsels

Vigour of its earlier conduct.

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sank into imbecility. After the action at Long Island, and while the English forces were rapidly extending their lines from the base of their operations at New York; the Congress, in answer to the urgent requisition of their General for a few battalions of regular troops, occupied itself in discussing the question of the danger of standing armies; and, even after this trifling had given way to the stress of circumstances, no adequate provision was made for the pay, the clothing, or the equipment of the regiments which were to be raised. The deterioration of this once great and fearless assembly proceeded so far, that at last they placed more reliance on the efforts of France or Spain, or any other foreign power which would undertake the conquest of American freedom, than on their own exertions or those of their countrymen.

Authority of Congress.

The authority of Congress, which, in the earlier stages of the revolution, wielded the whole power of the States, reached its height at the Declaration of Independence. After that event, its influence began to give way to the jealousy of central government entertained by the Provincial Assemblies. The Congress, jealous of the General, gave him little support or encouragement; and the Provincial Assemblies, jealous of the Congress, were slow in supplying the contingents of men and money that were assessed upon them. The soldiers themselves, impatient of the discipline and service which regular military operations

rendered necessary, could with difficulty be kept to their standards, even when they could depend on their pay, clothing, and rations. The regimental officers murmured at the preferment bestowed on foreign military adventurers, who had taken service in the continental army; and there were not wanting orators in the assemblies, to express indignation, that Congress and the Commander-in-chief should favor captains and colonels, who had learned the art of war under Ferdinand or Frederick the Great, before the patriotic blacksmiths, tailors, and bookbinders, who commanded the companies and battalions of the federal army.

Washington's difficulties.

We have seen, that the difficulty of keeping an army in the field was experienced in the first year of the war; and with a leader of less virtue, prudence, and constancy, than the admirable person upon whom the fate of the revolution ultimately depended, the event would probably have been reversed. Washington knew his own importance; and it was this sober conviction which sustained his equanimity, and enabled him to carry on the great work which he had undertaken, amidst all the disheartening circumstances by which he was surrounded. He attained the success which commonly waits upon courage, fortitude, and constancy. And as his object was the highest which can be proposed to human ambition, so has his success placed him foremost among that illustrious band of heroes and states-

Ch. 27. men who have achieved the independence or the salvation of their country.

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Washington as a general.

It cannot be said, that this proud pre-eminence has been assigned to superior genius or capacity. Unless we except the affair of Trenton, which was probably planned by Arnold, no great military exploit signalized the command of Washington during this protracted war. But, if he displayed few of the qualities which form a great military commander, no general was more cautious, or committed fewer mistakes. His encampment at Valley Forge, in the winter of 1777, without having made any provision for sheltering, clothing or even feeding his scanty force, would seem to have been an act of great temerity; for if the royal army at Philadelphia had made the attack which he wantonly provoked, it is difficult to conceive how he could have escaped utter destruction; he was saved only by a degree of negligence and misconduct on the part of the English commander, upon which, however mean his opinion of Howe might have been, he could hardly have ventured to calculate. Neither was it by political ability that Washington either acquired or maintained his power. He was appointed to lead the army of the republic, in preference to the shining orators and vaunting patriots of the Congress and Provincial Assemblies, because he was a man of approved sense and character, who had espoused the cause of his countrymen, not lightly, but from deliberate con-

viction. His success was owing far more to moral than intellectual qualities; and the great example of Washington may be added to the numerous instances, which prove that honesty, patience, firmness, and perseverance, will prevail in human affairs, before the most brilliant talents, unsupported by these inestimable qualifications. Ch. 27. — 1783

Purity of Washington.

Washington has obtained greater fame for the purity of his patriotism, than even for the conquest of his country's freedom. We are so much accustomed to see the profession of patriotism abused by vulgar and hypocritical pretenders, that any display of unsophisticated public spirit, excites unbounded admiration; and it so rarely happens in the history of the world, that an individual, born in a private station, has the opportunity of declining supreme power, that he who resists such a temptation, is considered the most exalted of the human race. Such was the Cincinnatus of Old Rome and the Doria of Modern Italy. It is extremely doubtful, whether several states associated temporarily for a common object, but tenacious each of its separate independence, and alien from the other in character, religion, and race could be united in monarchical government; though, even had the federal crown been solemnly offered to him, we may safely conclude that Washington would have had the firmness to refuse the dazzling gift. We know that he rejected with prompt indignation, a proposal to elevate him in the usual way, by

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means of the army; and no further movement was made in that direction. His disinterestedness as regards pecuniary reward is hardly worth mentioning after the greater act of self-denial which we have had to record. It is most remarkable, that a man of ample fortune and domestic habits, singularly free from ambition or enthusiasm, should, in middle life, quit a happy home to engage in a doubtful cause, and endure for seven years the most harassing anxiety and vexation, than that he should reject a pecuniary acknowledgment of his services. After having effected the liberation of his country, not by any dazzling feat or master-stroke of policy, but by slow and painful efforts, this admirable man was content to return to his home, and to draw from his own conscience that reward which could not be conferred by the plaudits of a multitude or the glitter of a crown.

CHAPTER XXVIII.

INDIA AND THE INDIA BILLS — DISMISSAL OF THE COALITION MINISTRY—PITT PRIME MINISTER—GREAT STRUGGLE IN THE HOUSE OF COMMONS — DISSOLUTION OF PARLIAMENT.

THE great question, which had principally engaged the attention of the Government and the country for the last twelve years, having been settled by the treaty of 1783, other affairs, of scarcely inferior magnitude, called for the immediate action of the Government.

Indian affairs.

Among these, the most prominent was the condition of India. Within the lifetime of a single generation, a joint-stock trading company had become the masters of ancient kingdoms and rich provinces, which Alexander, in the height of his ambition, had vainly sighed to possess, which Timour had invaded and Aurungzebe had ruled —the inheritance of the Great Mogul. How this vast territory was won by the valour of a captain taken from the counting-house of a trading company at Madras, and how it was extended and

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consolidated by the policy of a statesman taken from a counting-house at Calcutta, has been often related. I shall not enter upon the exploits of Clive, or the administration of Hastings. This wonderful theme has been recently illustrated by the pen most worthy to commemorate such deeds; and the detailed history of our Indian Empire is to be found in works of established reputation and authenticity.

Sovereign power of the Company.

The East India Company became in reality, though not in name, a sovereign power. From her central seat of government in London, she appointed vicegerents of her widely-extended and increasing empire. She made treaties with the princes of India, whose independence she still affected to tolerate. The patronage which she dispensed was larger than that of the British Government. Young Englishmen of the best families sought commissions in her armies, and employment in her diplomatic service. Thousands of persons, despising the slow and uncertain competition of the professions and trades of their native country, sought a more open and rapid road to fortune in the dominions of the Great Company; and in a few years the adventurers returned, many of them able to vie with the wealthy proprietors and old nobility of their native land in the profusion of their hospitality, and the splendour of their appointments. Some of these Nabobs, as they were called, obtained peerages, and others became purchasers of seats

in the House of Commons. The Great Company itself was a large borough owner; and some of its tributary princes even had their nominees in the British Parliament.

Difficulties of governing India.

The difficulty of administering the government of distant dependencies by the central authority has, in all ages, been sensibly felt, even when the desire of consulting the interests and welfare of the governed has guided the imperial rule; but it is obvious, that these difficulties must be aggravated to an incalculable degree when the managing board of a trading company, without any political vocation, and constituted for the sole purpose of obtaining the best return for the capital invested in the common stock, attempt to discharge so grave a duty. The Directors in Leadenhall Street hardly affected to recognize the higher responsibility which had devolved upon them in their political capacity; but it would be far too great a compliment to say, that their Asiatic possessions were governed merely on the narrow and selfish principles of commercial profit. The mercantile system, as it had hitherto prevailed, though narrow and selfish, was, on the whole, consistent with common honesty. The greed of gain, stimulated by the sudden development of resources which seemed inexhaustible, broke all bounds; and riches were followed in the distant regions of Asia, not by the rules of commercial enterprise, but by rapacity and plunder. The servants of the Company

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went out to India, in the first instance, to make their own fortunes, and then to swell the dividends of their employers. Territories were added to the dominions of the Company by fraud and violence. Not content with this, the English Governor let his troops for hire to exterminate a gallant people, whom he had no motive to attack but the money paid for the infamous service. Money was obtained from the helpless natives by falsehood and fraud; and, when these means were exhausted, by tortures and indignities, the practice of which, in the worst of times, had not disgraced the English name.

Consequences of oppression.

These excesses at length reacted on the guilty authors. While the Company occupied only a few trading stations in the country, their transactions with the people were fairly conducted, and yielded an abundant profit to the shareholders. Their dividend had ranged from six to ten per cent.; and they had been able to conciliate the favour of the Government, and obtain a renewal of their charter, from time to time, by fines and loans of considerable magnitude. In 1767, twelve years after the commencement of the war with France, during which short period the greater part of their conquests had been acquired, the Company were at the height of prosperity. Their net revenue was upwards of two millions sterling; their debt was under seven millions, about twice the amount of their trading capital. The annual profits of their trade were half a million. They

readily agreed to pay four hundred thousand pounds per annum to the State in respect of the territorial revenues of India, to which the State laid claim. They proposed at this time to raise their dividend to twelve and a half per cent., but were restrained by Acts of Parliament, which obliged them to apply a portion of their revenues towards the liquidation of their debt. A few years passed, and this prosperity was reversed. The exactions of the Indian Government, in process of time necessarily diminished, and the ordinary revenue was insufficient to maintain the civil and military establishments, which their rapacious and arbitrary policy obliged them to keep on foot. In 1773, they were not only unable to pay the imperial tribute of four hundred thousand pounds, but were forced to borrow nearly a million and a quarter to save themselves from impending bankruptcy. Their dividend was reduced to six per cent. The British Government took alarm. A parliamentary inquiry was instituted; and an act was passed, known by the name of the Regulating Act, which made a material change in the constitution of the Company.

Regulating Act.

The regulations of 1773 proved a very inadequate remedy for the gigantic evils which they were intended to control. The great and manifest evil was, that a trading partnership, whose chief business, and even duty, it was to extort the utmost profit from the territory which they occupied, should be suffered to exercise the func-

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tions of political government in any form. But if it was deemed expedient to delegate to the Company the exercise of imperial authority, it was surely of the first importance that careful provision should be made for the separation of the mercantile from the political office. More especially, the department of public revenue should have been kept distinct from that of trade, and the proceeds of the former applied wholly to the exigences of the Local Government, under the control of an imperial audit. These precautions, however, were for the most part neglected. The chief seat of Government, indeed, was established at Calcutta, and consisted of a Governor-General and Council, appointed by the Crown for five years; but in every other respect, except that of peremptory dismissal, subject and responsible to the Company. A Supreme Court of Judicature, framed on the model of the Superior Courts of Common Law in this country, was constituted also at the principal residency; but the authority of this tribunal was so ill-defined and so irresponsible, that it became another engine of oppression, rather than a shield against injustice and violence. The House of Commons emulated instead of corrected the vices of the Company. Led away by the same fatal error which lost the American Colonies, and flattered by the delusive idea that India was a source of inexhaustible wealth, the Commons passed resolutions, by which they fixed a limit of eight per cent. to the dividend of the Company, and

appropriated the surplus revenues of India to the purposes of the State. The Company, in consideration of this arrangement, were relieved from the further payment of the four hundred thousand pounds a year, which, by the act of Lord Chatham's Government, had been assessed upon them; and, as the collection of the revenue was left in their hands, not a shilling ever found its way into the coffers of the State.

Exposure of mal-practices.

A few years of such Government as this sufficed to bring the affairs of India to a crisis. In 1781, the whole condition of British India, as well as the affairs of the Company, became the subject of Parliamentary investigation by two Committees, the one secret, the other open. These Committees, severally, made elaborate reports, all condemnatory of the Company's Government; and especially of their Governor, Warren Hastings, and the Chief Justice, Impey. The disclosures made by these reports, relating as they did to transactions of a character such as had not been associated with British rule for more than two centuries, and equalling in cruelty and oppression the worst excesses of Norman tyranny, created such horror and indignation, that resolutions were passed by the Commons for the immediate dismissal of the Governor and the Chief Justice. The latter was accordingly recalled by the authority of the Secretary of State; but the Directors in Leadenhall Street reminded the House, that the right of

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naming and removing the Governor General was vested in themselves, by Act of Parliament. And as the Directors were more fully informed than the Committees of the Commons, as to the merits as well as demerits of their great officer, Hastings continued in power until the end of his term of office in 1785.

I shall have occasion to review the transactions which distinguished the administration of the eminent person principally inculpated, when the course of this narrative brings me to that great penal enquiry into his conduct, instituted by the Commons of England, and carried on with a rigour and oppression which, in modern times, have been paralleled only by some of the proceedings charged against Hastings himself.

Proposition of Dundas.

It was impossible, however, that the labours of these Committees, which had investigated the strange and complex question of Indian politics, with so much skill and industry, could be allowed to pass unnoticed. Accordingly, in the spring of 1783, immediately after the formation of the Coalition Cabinet, Mr. Dundas, who had been Chairman of the Secret Committee, obtained leave to introduce a Bill for the better Government of India. His motion, however, partook of a party character, and was intended as much to embarrass the Ministry as to benefit the people of Hindostan. He proposed to increase the power of the Governor General, by making him independent of the Council; to add to his duties those

of Commander-in-Chief, and to confer the united offices upon a person of high rank and public character, whose position would be a security against those abuses of power, to which it was suggested a person of inferior condition would be prone. The individual designated by Mr. Dundas was Lord Cornwallis, in opposition to Mr. Francis, the late Member of Council, who, as he had been the chief witness before the Committees and the most rancorous enemy of Hastings, was supposed to be the candidate favored by Burke and the administration of which he was a member. But the advanced state of the Session, as well as the general sense of Parliament, that a matter of such importance should be dealt with by the responsible Government, prevented the further progress of Dundas's Bill; and the public were content to wait, though with much interest and expectation, for the measures which the King's Government would take, with regard to a state of affairs so novel and so momentous.

King's speech.

The state of India and the Company, formed the prominent topic in the King's speech, on opening the autumnal session of 1783: and in a few days, Mr. Fox introduced a Bill for the better Government of India.

Importance of India.

If there ever were a question, which, regarding its nature, should have risen above the low element of party; and which in its accidents had little or nothing to provoke the conflict of Whig

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and Tory; it was that which His Majesty recommended to the calm consideration of Parliament. The American controversy had been peculiarly fitted for party purposes; it brought into direct collision, the principles which had agitated public opinion in this country for a hundred and fifty years; but no theories derived from the British Constitution could affect a scheme for regulating the Government or the revenues of India. Vast dominions, the seats of ancient dynasties, the abodes of commerce and the arts of civilization, at a time when this island was a forest, peopled by painted savages, had, by a strange and sudden turn of fortune, become a part of the British empire. Measured indeed by the ideas of modern Europe, these distant regions, though still accounted rich beyond comparison in many natural products and artificial luxuries could not be placed on an equal footing with civilized nations. Retaining their manners unimpaired probably, and unimproved, through a series of ages, the people of Asia, blind to the light of revelation, and ignorant of political science, had no higher pretensions than those of splendid barbarians. With a religion, which, in ceremonial observance, and every art calculated to subdue the senses, far exceeding the religion of Rome, and with a doctrine compared with which the doctrine of Rome, at the time when she most sorely tempted the credulity and patience of mankind, was

sublime and rational, the Hindoos have ever been the most superstitious of the human race. Their political institutions were few and simple, forming indeed a part of their religious system. Like all the people of the East, they had no other idea of Government than that of absolute monarchy; whether under the dominion of their native princes, or their Mahometan conquerors, who had from time to time invaded and occupied various parts of the territory of the Great Mogul.

Such were the nations, which, in the marvellous vicissitude of human affairs, had fallen under English rule. They had been obtained, partly by the fortune of war, which comprises some of the most brilliant passages in our military annals; partly by violence and fraud, such as can hardly be paralleled in the dark and bloody history of conquest since the world began. Neither the glory nor the infamy of these conquests belongs to the British Government. It had no part in the exploits of Clive, nor in the administration of Hastings. The task which the British Ministry and Parliament undertook, was to provide for the Government of the rich provinces, which the valour and policy of the servants of the Company had won, but which the unaided efforts of the Company were confessedly unable to manage.

Such was the great question with which Par-

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liament had to deal; a question which seemed calculated to test the capacity, rather than the stability of the New Administration. But the Indian policy of the Coalition gave rise to the most memorable struggle that had taken place within the walls of the House of Commons since the days of the Long Parliament, and determined the fate of parties, and what was of far more importance, the character and general policy of the British Government for nearly fifty years.

Opening of the Session.

On the earliest possible day, after the commencement of the Session, Mr. Fox brought forward the India Bill. It was introduced in a speech equal to the gravity of the subject, and the high reputation of the Minister. The measure itself, whatever judgment may be passed upon it, at this distance of time, was one conceived by the mind of a Statesman. It was no peddling temporizing evasion of a great difficulty, but a bold, a comprehensive, and vigorous project.

The principles on which a measure adequate to the subject, as well as to the actual exigency which demanded imperial legislation, should be framed would seem to have been obvious. A territory, wider in extent, more thickly peopled, and estimated richer than all the dominions of the British crown put together, was held in actual sovereignty by a company of merchant adventurers, trading under the protection of charters granted by the British crown. This was an instance of the *imperium in*

imperio, on a scale to which the history of the world could furnish no parallel. It was true, indeed, that the Company could acquire no independent right of sovereignty over the provinces which they had conquered. That right belonged unquestionably to the Crown to which the Company owed allegiance; but until defined and set in motion by Parliament, the right was merely theoretical and nominal. The first question, then, for Parliament to determine, was whether the Crown should assume the active exercise of its rights. The anomalous character of the existing government of British India might not be a sufficient reason for deposing it; but the burden of proof seemed to lie on those who argued for the maintenance of the Company's authority. If the dominions of the Nabobs and the Rajahs were to be retained, it was surely more decent that a people who knew no other form of government than that of monarchy, should recognize as their sovereign lord, the King of Great Britain, rather than a trading company; and, if their affairs could be administered in London, a Secretary of State's office at Whitehall was more appropriate than a counting-house in the city. There was another consideration, and that the most material of any. The Company lay under accusation of having cruelly and scandalously abused the privileges of rulers. Their principal servants had been inculpated of gross malversation by a unanimous resolution of the House of Commons; and the

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Company had, nevertheless, upheld their officers in spite of the opinion of Parliament and of the Ministers of the Crown. The administration of justice had been so notoriously and scandalously abused, that the chief judge had been dismissed, in spite of the Company, by the authority of the King's Government. Nor had the Company purchased material prosperity by the open violation of the principles on which civil government, nay, society itself, is based. Plunder and extortion had only relieved their immediate and temporary exigencies. The ordinary resources of India were unequal to satisfy the greedy adventurers who were spread over the land, and to maintain the military force which was necessary to support an arbitrary and iniquitous government. The Company, therefore, came before Parliament as delinquents, who had grossly abused their trust, and as bankrupts unable to perform the engagements they had made.

Proposed transfer of power to the Crown.

The remedy for these evils appeared on the surface. An anomalous power had accidentally fallen into hands wholly incompetent to exercise it. Let the power be transferred to lawful authority; let the Crown assume the responsibility of governing those dominions which belonged to it in right of sovereignty. This, in effect, was what the Minister proposed to do. His plan was to erect a great department which should be charged with the direction of the whole administration of India. All the power

and authority exercised by the Company over the territory and people of India were to be vested in seven commissioners, nominated, in the first instance, by Parliament, for four years, and afterwards to be appointed by the Crown. All the real property, charters and title-deeds of the Company were to be transferred to the Commissioners, who were also to stand possessed, as trustees, for the benefit of the Company, of all their stocks, goods and chattel interests. The property and commerce of the Great Corporation were to be placed under the superintendence of a subordinate board of eight persons, nominated also by Parliament, but afterwards to be appointed by the Court of Proprietors. The Board was to sit in London, their minutes and proceedings were to be regularly laid before both Houses, and they were to exercise their functions under the immediate control of Parliament. Ch. 28. 1784

By a separate Bill, provision was made for the reform of some of the principal abuses in the local administrations. Monopolies were to be abolished; the acceptance of presents from the natives by persons holding office was prohibited; the Supreme Council were interdicted from delegating their powers; the tenure of land was placed on a more secure and equitable footing; and many other beneficial regulations were proposed. To this Bill, so far as it went, no considerable objection could be urged; but the principal measure was opposed with a vehemence Monopolies to be abolished.

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Provisions of the India Bill.

The Bill, however, simply provided for the transference of the Government of British India from a body elected by the proprietors of Indian Stock, to a body nominated, in the first instance, by the Legislature, and afterwards by the Crown; and insomuch as it was intended to deprive the Company of political power, which it was agreed on all hands they had abused, and were unfit to exercise, the Bill went no farther than the justice and the exigency of the case demanded. But there was a plain distinction between the political and the commercial character of the Company. The former was, in a sense, usurped; the latter rightfully and properly belonged to them. Their commercial privileges had been conferred and ratified by Charters and Acts of Parliament. The most recent statute, the twenty-first of the present reign, while it continued their commercial charter for a further period of fourteen years, expressly reserved the question as to their claim to the territories they had conquered; a reservation which clearly implied, that Parliament, during the period limited, might deal with the one subject though not with the other. There was a plain reason for this distinction. The Directors in Leadenhall Street had been bad rulers; but their commercial enterprise and ability were unquestionable. They had opened up extensive and permanent channels for the commerce of these

islands. They had, for many years, divided a large per centage among their proprietary; and they had diffused riches throughout the length and breadth of the land. These results could hardly have been attained by the efforts of private enterprise. It was true, that the financial affairs of the Company had become embarrassed; but those difficulties were caused by the incongruous union of Imperial with Mercantile concerns, and in no wise affected their solvency or credit as a great trading corporation. Ch. 28. 1784

Defects of the measure.

The Bill of the Government dealt with the Company, on the assumption that they were as incapable of conducting their commercial affairs as of discharging the political functions with which they were charged. In this sweeping and indiscriminate legislation, the minister was hurried into the very error which it was the object of his Bill to rectify; for even admitting (which there was no pretence to allege) that the commercial affairs of the Company were in such disorder as to justify a breach of the stipulations contained in the Act of 1780, and to call for immediate regulation, it is certain, that a more unfit superintendence than that of a parliamentary commission sitting in London over commercial transactions, of which they had no special knowledge, and in which they had no pecuniary interest, could hardly have been devised.

The Bill was open to other objections of considerable weight. The peculiar constitution of

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Anomalous position of the Whigs.

the new department, which it was proposed to create, might well alarm the jealousy of those who thought it of importance to maintain constitutional usage, and the due distribution of power among the several orders of the State. It was proposed by a minister of the Crown, that Parliament should delegate to a body of its own choice, and virtually responsible only to itself, the whole government and patronage of a large portion of the empire. Such an encroachment on the functions of the executive had not been attempted since the days of the Long Parliament. But the party in power were in this difficulty. When in opposition, they had committed themselves to the famous resolution which they induced the House of Commons to adopt, that 'the influence of the Crown had increased, was increasing, and ought to be diminished,'—a proposition which refuted itself; for if such had been the power of the Crown, it would have prevented the House of Commons from recording such a conclusion. But the dogma, however absurd, was so recent, that the party who proposed it were, in decency, precluded from augmenting the influence of the Crown by the rich patronage of India. To avoid the odium and ridicule which would attach to such a proceeding, the Whigs were driven to a breach of the constitution, and a direct invasion of prerogative.

It was generally admitted, that the state of India was such as to require measures of extraor-

dinary vigour. An opinion prevailed, sanctioned by Burke and other public men of high authority, that the Company's servants had been guilty of every excess of cruelty and rapine. Clive, the conqueror of India, whose exploits were those of a hero of romance, and whose conduct was that of a consummate commander, had lately gone down to his grave covered with obloquy. Hastings, the vicegerent of the Company, who had consolidated and extended the empire which Clive had won, lay under grievous imputations, and was already menaced with that great prosecution, by which, a few years later, the foremost men in England sought to bring him to infamy and ruin. All parties in Parliament, except, of course, the party of the East India Company, were agreed as to the necessity of extensive and searching legislation; the Government of Lord North had taken up the subject; and the succeeding Government had proposed a Bill, which virtually transferred the whole government of India to the Crown.

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Burke's opinion of the proceedings in India.

Mr. Fox's India Bill was not, therefore, on account of the sweeping character of its provisions, calculated to excite public alarm or indignation. On the contrary, the measure was likely to be approved in proportion as it dealt most severely with the Company. But, much as the Company were in disrepute, there was another body of men still more unpopular; and this was His Majesty's Government.

Unpopularity of the Coalition.

The Coalition had given public opinion a shock,

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from which it could not readily recover. Parties which, for the last ten years, had been confronted in bitter hostility; statesmen, who had personally and unceasingly denounced each other with a license far exceeding the limits of free discussion, had suddenly combined to supplant the minister of the day. No man, who considers the vicissitudes to which politics, in common with all human affairs, are liable, will exact from public men either a rigid consistency, or an eternal perseverance in their party divisions; and there are emergencies, when public spirit calls upon statesmen to forget their past animosities, and unite for the common good; but the alliance of North and Fox was merely a combination of two parties to obtain political power, and to deprive the Sovereign of all choice in the appointment of his Ministers. If such a manœuvre was to be successful, the Government would thenceforth become the sport of faction; there could no longer be any confidence in public men; and ministers would practically cease to be responsible, either to the Crown or to the country.

The King's dislike of the Coalition.

Under these circumstances, the Ministry depended on a majority of the House of Commons, which, in the present temper of the nation, might by the exercise of prerogative, be at any moment dispersed; and it was probable that the King would seize the first favorable opportunity which presented itself, of appealing to the sense of the people, against the coercion to which he had

been subjected. That opportunity was afforded by the India Bill. A measure which would have tried the stability of a Government, strong in public confidence and in the support of the Crown, was hazarded by the weakest administration which had held office since the Revolution. The India Bill might easily be represented by the arts of adverse eloquence, and, as has been shewn, not altogether without reason, as at once an attack upon the Crown, upon chartered rights and vested interests, and upon the independence of Parliament. The Bill was received with a storm of opposition. In front of the battle, appeared William Pitt, already the rival of Fox, in the House of Commons, and aspiring to the highest office in the state. He was ably supported by his cousin, William Grenville, afterwards a member of the Upper House, and a statesman of the highest authority. These leaders had a long following; among the most conspicuous of whom may be noted, John Scott, afterwards Lord Chancellor Eldon, and Henry Flood, the rival of Grattan in the Irish Parliament. Both of these eminent persons addressed the House, for the first time on the India Bill, and the speeches of both were signal failures. Scott made perhaps the most absurd speech that had ever been heard within the walls of the House of Commons. It is not often that a member of the learned profession has the good fortune to be heard with favor by that fastidious and jealous assembly;

Pitt and Grenville.

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and a finer opportunity than this debate afforded to a legal candidate for Parliamentary distinction rarely occurs. It was a question of high constitutional law, of chartered rights and vested interests. But the eminent lawyer, instead of confining himself to these topics on which he might have spoken with authority, with a perverseness of taste, which men of sense and knowledge sometimes display, fancied the subject was one to be treated with wit, raillery and sarcasm, and that his was the hand which could wield those dangerous weapons. He pulled a Bible out of his pocket, and proceeded to show, by quoting long passages, that the Bill was fore-shadowed in the Book of Revelation;—an illustration the like of which had not been witnessed within those walls, since the time of Barebones. From the New Testament, Mr. Scott passed to Thucydides and Shakespeare; he accused Mr. Fox of attempting to smother the constitution, citing Othello and the death of Desdemona, as a precedent in point. The House was too much amazed to laugh; and the orator resumed his seat amidst significant silence. Flood likewise failed altogether to sustain the high reputation which he had brought from the other side of the channel. He spoke in the last stage of the discussion, when the subject, as well as the patience of the House was nearly exhausted. He began by saying that he was wholly unacquainted with the question, that he had not read a line of the

Reports which lay upon the table, but nevertheless that he had come over from Ireland, expressly for the purpose of taking a part in the Debate; a singular mode of propitiating the attention of any audience, and especially of an audience jealous, beyond every other, of mere oratorical display. This exordium, followed as it was by a vapid declamation, soon thinned the benches, which had been crowded by the announcement that the great Irish orator was on his legs, and the profound silence which denotes the eager expectation of the House, subsided into the buzz of conversation, significant of its fatal disappointment and indifference. Among the most violent in denunciation of the Bill was Wilkes, who, finding there was no longer any occupation for a demagogue, had lately appeared as the champion of order, the opponent of political progress, and the stoutest stickler for prerogative against the 'hungry and ravenous Coalition,' which held possession of the Government against His Majesty's will.

Fox and Burke's defence of the Bill.

The Bill was defended against a torrent of invective, chiefly by the eloquence and ability of Fox and Burke; the former, regardless of the provocation he received, maintained the demeanor which accorded with the magnanimity of his character, the position which he held as Leader of the House of Commons, and the grave importance of the question. He calmly exposed the exaggerations with which the measure and its

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authors were assailed. He admitted, with a boldness which is sometimes the highest reach of art, the principal argument of the opposition. The Bill *was* an invasion of chartered rights; and it was justified by the necessity, which, though often the pretext of tyranny, was sometimes the plea of freedom. The Revolution, to which the country owed its liberties, was a violation of chartered rights. The magnitude and extent of the evil with which they had to deal were acknowledged on all sides. The Company had grossly abused the trusts committed to them, and the foundation of their Charter was consequently gone. They had proved wholly incompetent to rule, and their own principal functionary, Hastings himself, who had so long administered their affairs, attributed all the disasters of India to the system of Government adopted and pursued by the Court of Directors. The late Ministry had proposed to set aside the Company, and to vest absolute power in a great nobleman, who should be placed at the head of the Local Government. That was the plan of Mr. Dundas. The Secretary of State then reviewed the different wars in which the Company had engaged, and showed that under the discretion they exercised, no security existed against this country being involved against its will, and without its knowledge, in a war with France. He went also into a variety of details of mismanagement and malversation in the financial department, which had repeatedly demanded,

and at the instance of the Company itself, the aid and interposition of Parliament. He proved by examples of recent occurrence, that the authority of the Indian Government was rapidly diminishing throughout its extensive territory, and that unless a thorough change took place, our rich possessions in the East would be wrested from us, or would recover their independence. If India was to be ruled by absolute Government, and no other form of Government was practicable, he was unwilling to confide such enormous powers to the hands of a single individual, exercising his functions in a distant land, far beyond the constitutional control of the British nation. He had adopted therefore the only alternative which presented itself, for securing the moderate and just exercise of absolute power, by delegating it to a body of English gentlemen, appointed by the supreme authority at home, acting under the eye of the Government and the people of this country, and responsible to Parliament for the performance of their duties.

Burke's great speech.

Burke, who as the reputed author of the Bill was more immediately concerned in its vindication, supported his great chief in one of those elaborate and masterly orations, which transcend all the recorded eloquence of modern times, and emulate the noblest effusions of antiquity. His mind, amply informed on every subject of importance to which he addressed himself, was stored with knowledge on every point relating to the

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history, government, and manners of the people of India. His genius, akin to all that was elevated and grand, and prone to exaggerate every object of its contemplation, had long dwelt on the antiquity, the splendour, and the traditions of the East. He regarded India, the earliest seat of industry and commerce, whose products and manufactures had been sought by the great people of antiquity, and which had first taught the arts of civilization to modern Europe, as now given up to a generation of sordid factors, and subjected to the vilest tyranny, insult, and rapine. He could make no allowance, either for the difficulties with which the Company had to contend in establishing the authority of the British name over vast provinces, differing from each other in religion and race, but to all of whom the manners and principles of Europe were unknown; nor for the faults of a Government, which bad as it might be, could hardly fail to be an improvement on that of the native rulers. His ardent imagination could dwell upon nothing but the awful spectacle of a once mighty empire in ruins, of the subverted thrones, and undone princes of India. Fox, in his opening speech, had desired that the Bill might be discussed without reference to the merits or demerits of Hastings. The character and conduct of the individual who administered the local Government of the day ought not, he argued, to affect the consideration of the principles on which the permanent

Government of the country should be settled. Most of the speakers acquiesced in a suggestion so plainly just, and convenient. But Burke could observe no limits, and a great part of his speech was an elaborate and detailed impeachment of the Governor General. Like Fox, he admitted, with an amplitude indeed which bordered on exaggeration, the chartered rights of the Company; and justified their violation, on the same ground that had been taken by the leading Minister. On this part of the subject, he gave a happy turn to an expression which had been used by Pitt. The leader of the Opposition had allowed 'that there were abuses in the Company's Government.' 'If that were all,' said Burke, 'the Bill would be needless. There are and must be abuses in all Governments. But the question was, whether the abuses of the East India Company's Government, were of importance sufficient to justify the measure and means of reform applied to it in the Bill.' And the affirmation of this proposition he undertook to establish, by a review of the history of the Company, in their political and commercial relations with the princes and people of India.

Erskine's failure.

Among the eminent men who took part in this great discussion, was Erskine. He had lately been returned for Portsmouth, and spoke for the first time on the second reading of the Bill. His reputation, as incomparably the greatest orator ever heard on the other side of Westminster Hall, had raised an expectation in the House

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which had never been equalled by the anticipation of a first speech. But the famous advocate was a parliamentary failure. Pitt, who had come down prepared to find an antagonist who would call forth his highest powers, after listening for a few minutes, contemptuously flung away his note paper, and listened no more. The disconcerted orator soon afterwards sat down, amidst the faint applause of his friends, and the hardly suppressed sneers of the Opposition. Erskine frequently took part in debate, but never fully succeeded in obtaining the ear of the House of Commons.

In vain however was the Bill assailed, either by argument or vituperation. A majority of more than two to one supported the Minister in every division, and on the 9th of December, the Bill was carried in triumph to the Lords. But there it met with a very different reception.

Conduct of the King.

During the progress of the Bill through the Commons, the King and his secret counsellors were in anxious deliberation as to the course to be pursued. His Majesty, eager to get rid of his hated Ministers, would have dismissed them in the full career of their triumph. But, though dissuaded from this precipitate measure, the King was determined that the Bill should not become law. Its passage through the Commons was certain, and, unless it could be arrested in the Lords, he would be driven to the extremity of refusing his assent. It was doubtful how far it would be safe to revive a prerogative, which had fallen

into disuse since the time of William the Third, and was supposed to be no longer consistent with the independence of Parliament. After an anxious deliberation of a fortnight, it was determined to take a step hardly less bold and hazardous than that which His Majesty, according to the letter of the constitution, might have been justified in adopting. Instead of waiting until the Bill was presented for the royal assent, the King thought fit to intercept it in an intermediate stage. Accordingly, Temple was authorized, by a paper dictated by the King, to signify to any lord who might be willing to receive such a communication, His Majesty's pleasure that he should vote against the Bill.[a] This paper was freely circulated, and produced the desired effect. Several peers who were wavering, and others who were prepared to support the Government, and had actually given the Minister their proxies, were deterred from acting in direct opposition to the Crown. The consequence was, that the motion

[a] On the 1st of December, a paper drawn up by Lord Temple, exposing the character and tendency of the India Bill, was formally presented to the King by Lord Thurlow. Temple was the chief adviser of the King throughout this proceeding.

This remarkable document is in the following terms:—'His Majesty allowed Earl Temple to say, that whoever voted for the India Bill was not only not his friend, but would be considered by him as an enemy; and, if these words were not strong enough, Earl Temple might use whatever words he deemed stronger and more to the purpose.'—*Courts and Cabinets of George the Third* vol. i. p. 288.

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for the commitment of the Bill was negatived by a majority of nineteen. A member of the Cabinet, Stormont, the Lord President, voted in the majority.

Baker's resolution as to the King's conduct.

The Bill was rejected on the 17th of December, forty-eight hours after the King's pleasure had been intimated. On the same day the Commons met, after a short adjournment, and a scene of great excitement took place. Mr. Baker, a member unconnected with the Administration, rose to call the attention of the House to the alleged interference of the King, for the purpose of preventing the progress through the other House of Parliament of a Bill which had been carried up from the Commons; and he moved a resolution, '*that it was necessary to declare*, that to report any opinion, or pretended opinion, of His Majesty upon any Bill or other proceeding depending in either House of Parliament, with a view to influence the votes of the members, is a high crime and misdemeanour, derogatory to the honour of the Crown, a breach of the fundamental privileges of Parliament, and subversive of the constitution of this country.'

Opposition to Baker's resolution.

This resolution, which aimed at bringing the House into direct collision with the Crown, and was founded on a notable precedent in the Long Parliament,[b] was strenuously supported by His Majesty's Government, and as strenuously re-

[b] *Comm. Journals*, 67 and 344. November 12th, 1640, and December 16th, 1641.

sisted by the party of the King's friends, who had, from their first appointment, been in open opposition to the confidential counsellors of the Crown. But neither Pitt, nor any of the speakers of the Opposition, ventured to defend the course which His Majesty had thought fit to take. On the contrary, it was contended, that no proof was before the House of such a proceeding as rendered it necessary to make such an assertion of their privileges as would bring the Crown into disrepute, and produce discord between the two Houses. The statements which had been made in support of the resolution rested on mere newspaper reports, which it was beneath the dignity of the House to notice. Pitt concluded by moving the order of the day, a mode of evading a question upon which it is not convenient to pronounce a positive and direct decision. But Fox and his friends felt that this was the crisis of their fate. The contest which, for three and twenty years, had been maintained, with various fortune, between the Crown and the Whig party, had at length arrived at a decisive issue. All chance of an accommodation between these potent rivals for power was at an end, and it was plain that they must prepare for an immediate and final struggle. The Whigs eagerly accepted the challenge which had been so insultingly offered them; and they flattered themselves, that the rash precipitation of the foe would ensure them a final victory.

Fox, therefore, secure in the immediate advan-

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Bold conduct of Fox.

tage which he possessed, insisted that the resolution should be put to the vote. He denied that it rested on rumour, or surmise, but on a written record, which would be produced; and, with accents of indignant emphasis, he held up and read a copy of the insolent language by which Lord Temple, with the express sanction of the Sovereign, had successfully intimidated his peers. He declared, that Parliament was robbed of its rights, and menaced with immediate destruction; that the secret influence, the machinations of which had been unceasing during the whole of His Majesty's reign, had now risen to an alarming height, and he designated Jenkinson as the notorious agent of this irresponsible power. He knew, he said, that his great bill was to be defeated by a majority of bed-chamber lords; and that he himself, whom the people of England had called to power, was to be displaced by a vile intrigue. But he would not abandon the post in which they had generously placed him. He afterwards repeated, in a still more pointed manner, that, at such a juncture, Ministers stood pledged to the public, and could not abandon the affairs of the State to anarchy and destruction. The resolution was carried by a majority of one hundred and fifty-three to eighty. A farther resolution, moved by Erskine, pledging the House to reform the abuses in the Indian administration, and denouncing, as a public enemy, any person who should presume to advise His Majesty to prevent, or in any manner

to interrupt the discharge of this important duty, was debated with closed doors, but was carried by a majority of two to one. Ch. 28. 1784

While Fox and his colleagues were assuring the House of Commons, that they would remain at their posts, the King had determined on the step which should follow the rejection of the India Bill. Twenty-four hours after the fate of the Bill had been decided, and before the menacing resolutions of the House of Commons had been recorded in their journals, North and Fox received His Majesty's commands to resign their seals of office; they were denied even an audience for that purpose, but were desired to send the seals by the Under-Secretaries of State.[d] The King's imperious conduct.

It is impossible to defend the conduct of either party in the transaction, which finally terminated the long struggle between the King and the Whig oligarchy. The rule, which prohibits the use of the King's name for the purpose of influencing the deliberations of either

[d] The letters were not delivered until twelve at night, the King having waited all day in expectation that the Ministers would resign. Lord North received his dismissal with characteristic humour. He was in bed when the despatch arrived, and being informed that Sir E. Nepean, the Under-Secretary, desired to see him, he replied, that in that case Sir Evan must see Lady North too; and he positively refused to rise. Sir Evan was accordingly admitted to the bed-room, and, on informing Lord North that he came by His Majesty's commands to demand the seals of his office, Lord North gave him the key of the closet where they were kept, and turned round to sleep.—*Locker* MSS.

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Nature of royal responsibility.

House, operates as much for the protection of the Crown as for the independence of Parliament. The constitution has provided no means by which the opinion of the Sovereign upon any question pending in the legislature can be communicated either to the legislature or to the country. If it were otherwise, an opinion of such importance could claim no immunity from that freedom of censure, which, in this country, attends the expression of any opinion calculated to influence public affairs. It is needless to point out the mischievous and unseemly consequences which would ensue. The King, if a man of energy and ability, might press the influence of the Crown to an undue extent; if a man of ordinary capacity, he might bring monarchy into contempt. But it does not follow, because the King is wisely secluded from active participation in public affairs, that he is thereby rendered a passive instrument in the hands of his political servants.[e] He has in his nobility a body of hereditary counsellors, either of whom may at any time tender him advice, upon which it is competent for him to pro-

[e] George the Third, though he exercised more personal influence over public affairs than any monarch since Elizabeth, thought himself unduly restrained, whenever he was prevented having his own way. I have seen the following memorandum, copied from the papers of one of the King's confidential servants. 'He (the King) said, he thought the English Constitution the finest system in the world. If it had a fault, it was that of its not being fit for a king. *He was the only slave.*'—MS.

ceed. This privilege, however, is plainly abused, when the Sovereign avails himself of it to cabal against his responsible Minister, and to open a correspondence with his personal friends and dependants, for the purpose of defeating the measures which his Ministers have recommended to Parliament. Yet this was the practice which the King had pursued since the commencement of his reign, though he had never before acted with such contempt of caution and reserve as marked his conduct on the India Bill. If he had been advised that the Bill was an encroachment on the just rights of the Crown, he should have summoned his Cabinet, and demanded that the obnoxious measure should be modified or withdrawn. The alternative of compliance would have been dismissal, or retirement from his service. His Majesty would then have been in a condition to appeal to his Parliament, and from the Parliament to his people. But, far from taking this course, the King never made any communication on the subject to his accredited servants. He had been informed by his late Chancellor of the character of the Bill before it had been submitted to the Commons for a second reading; yet he suffered it to pass through all its stages in the Lower House without any intimation of his pleasure: and it was only when the Bill was brought up to the Lords, that he interposed in a clandestine and irregular manner to arrest its progress. But the defeat of the Bill was only a secondary object.

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The King's want of openness.

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His aim, and that of his coadjutors, the two peers, who, under pretence of offering their Sovereign constitutional advice, furnished him with a scheme[f] for betraying his Ministers, was to get rid of those Ministers; and the India Bill was made use of for that purpose.

But if the conduct of the King in this transaction was unconstitutional and treacherous, the way in which it was met by Ministers was equally indefensible. Their course was clear. If they believed that the King had interfered to defeat their measures, they should have lost no time in laying before His Majesty the information upon which that belief was founded; and if no sufficient explanation was given, they should forthwith have resigned the offices which they could no longer hold, consistently with their duty to Parliament, to the country, and to each other. But, instead of pursuing this plain, direct course, they adopted a policy of retaliation. The sum and substance of the affair was this; that the King had withdrawn his confidence from his Ministers; a case for which the constitution has provided an adequate remedy; but the mere fact of the King's having taken the irregular and unworthy course of discrediting his official servants through the agency of the House of Lords, was no justification for resorting to the extreme

[f] Memorandum of 1st of December, laid before the King by Thurlow and Temple.

measure of obtaining a vote of the House of Commons, which was all but in terms a censure on the Crown. Improper and indecent as it was, that the King should authorise a lord of Parliament to inform the peers, that he should consider as his personal enemies those who voted for a measure recommended by his responsible advisers; it would be difficult to make out that such a proceeding, in any sense, affected the privileges or the independence of the House of Commons. But the conduct of the Whigs from the beginning to the end of this business was factious and perverse. If there is one rule better established than another by the constitution of this realm, it is this, that the sovereign has a right to choose his Minister, subject only to the approval of Parliament. The party which acceded to power on the overthrow of Lord North's administration, assumed to direct and control the exercise of this prerogative. The appointment by the King of Lord Shelburne to succeed the Marquis of Rockingham, without consulting the Cabinet, afforded the first opportunity for the assertion of this claim. The Whigs resigned upon that ground, and immediately formed a coalition with their political adversaries, for the purpose of coercing the King, and compelling him to part with the Minister of his choice. The King yielded, and so rigorous were his dictators, that they refused his urgent request to be allowed to name a single member of the new administration. That His Majesty should seek an opportunity

Factious proceeding of the Whigs.

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to escape from this duress is not surprising; and if his reign had not been a series of intrigues, and contrivances to undermine and discredit his ostensible and responsible Ministers, it would be hardly fair to criticise too keenly the means which he employed.

Defeat of the India Bill.

In this manner the great India Bill was crushed, and the famous Cabinet of the Coalition was dispersed. It would be as difficult to make a vindication of the Bill as of the Government which brought it forward. The charge against the Bill, which weighed mostly with the public, the violation, namely, of chartered rights, was little regarded by men of knowledge and reflection.[g] That the charter of the Company had been modified by successive Acts of Parliament, was certainly no sufficient plea, if it was one of those compacts, which are, under all circumstances to be held inviolate; but with respect to a charter of this anomalous description, containing provisions not necessarily affecting the interests of the principals, but immediately involving public interests to an indefinite degree; it would be too much to say that the supreme power of the state

[g] Lord Cornwallis, a man of strong sense, an opponent of the Bill, and an adherent of the preceding administration, which would have sent him to India with plenary powers, had they remained in office, in one of his letters, ridicules the pretence that the Bill was a 'daring invasion of chartered rights.'—*Correspondence*, vol.i. p.157. No man of any note in either House dwelt much on this point, with the exception of Grenville.

was absolutely precluded from altering its dispositions. The charge against the Company was, that they had abused, or at least mismanaged, power which had been confided to them, not for their own benefit, but for the welfare of the large portion of the human race subjected to their control. The very nature of such a gift, imposed responsibility on the grantee, and implied a power of resumption in the grantor. So far, therefore, as the Bill deprived the Company of political functions, it was a question of expediency and not of right; but, in limiting the absolute dominion which they possessed over their commercial capital to an usu-fructuary right, the Bill was arbitrary, unnecessary, and unjust. The grand principle of the Bill, the transference of the imperial authority from the Company to the State, or rather the resumption by the State of the authority which properly belonged to it, and which it could not absolutely alienate, was a sound principle; but the manner in which it was proposed to apply it was so much at variance with our constitutional system, so strange, cumbrous and inefficient, as to constitute a fatal objection to the measure. Thurlow said, with rhetorical exaggeration, that the Bill would take the crown from the King's head, and place it on that of Mr. Fox. The objection was pointed out with more precision by Jenkinson, who was chiefly concerned in looking at the effect which the Bill would have on the future fortunes of party.

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Suppose, he said, the Commissioners to be appointed for four years, and that a change of Ministry should take place in the meantime. What would be the consequence? The Directors would probably be acting in direct opposition to His Majesty's Government. A Bill which created patronage to the amount of three hundred thousand pounds[h] a year, which was to be placed in the hands of a body of men taken from the ranks of one political party, eligible to sit in Parliament, many of them probably leading Members of both Houses, must be equally formidable to the just rights of the Crown and to the independence of Parliament. It was easy to say, that the duration of this formidable body was limited; but the whole plan of the Bill contemplated it as a permanent part of the scheme; and, practically, there could be little doubt that the commission would be renewed before the expiration of its term of office. A permanent body would have been far less objectionable than one constituted for a definite period; in the former case the members would have been connected with the party by whom they were nominated, by

[h] Pitt, on Francis's motion for a Committee on East India Establishments, read a list of the offices of which the holders were to be removable at pleasure, proposed to be created by Fox's Bill. Besides the governors and councils, there was one place of £25,000 per annum, one of £15,000, five of £10,000, five of £9,000, one of £7,500, three of £2,000, and down to places of £1,000, which, in comparison with the others, he said, were hardly worth mentioning.—*Speeches*, May 5th, 1785.

what experience has shewn to be the frailest of all ties, that of political gratitude; but a board, in expectation of the renewal of its term, has every motive to be subservient to the Minister of the day. These were the arguments which weighed most with men of candour and reflection; yet no satisfactory defence of this part of the scheme was made, or much attempted throughout the debates.[i]

It suited the objects of party to pretend, that the India Bill was merely a contrivance for securing political power to its authors; but it is hardly necessary at this day to vindicate the memory of the great men who were concerned in that memorable business from such an imputation. That party considerations were altogether excluded from the view of the statesmen of the Coalition, it would be folly to maintain; but the first aim of such men as Fox and Burke was, undoubtedly, the good government of India. Those generous minds were capable of rising to the greatness of the subject, and of seeking, in

[i] Lord John Russell, in his Life of Fox, makes light of this objection. 'There is no reason,' he says, 'to believe, that during the four years to which these powers were limited, Lord Fitzwilliam and his colleagues would have exercised an influence greater than that which Commissioners of Excise and Customs, appointed by one ministry, apply during the sway of a succeeding administration.'—*Life of Fox*, vol. ii. p. 48. But Commissioners of Excise and Customs are excluded from Parliament, and are not entrusted with the patronage of their departments. These Boards are, in fact, merely Boards of supervision.

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the highest efforts of legislation, a fame and a reward far above the fleeting triumphs of faction. Burke, indeed, had long thought, with the vehemence of conviction characteristic of his mind, that the iniquity and incapacity of the Company's Government demanded a fundamental change; and no person who is acquainted with the ingenuous nature of Fox, can doubt the sincerity of the declarations which he often made, both in public and private, during the progress of the affair, that he had never acted more fully on principle than he had done on that occasion, and that he felt bound to risk his power, and that of his friends, when the happiness of so many millions was at stake.[j] The leading Ministers, indeed, so far from regarding the India Bill as a means of confirming and consolidating their power, were well aware that they put it to hazard by such a measure, and that, if they consulted their own ease and safety, the most prudent course would be to leave matters as they were, or to propose only some inconsiderable alteration. Lord North, while the Bill was in draught, warned his colleague, that the proposal to vest the Government of India in a great parliamentary board, would probably be fatal to the project and to its authors;[k] and Fox, in his private communications with his friends before the meeting of Parliament,

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[j] *Speeches and Correspondence*, passim.

[k] Fox's *Correspondence*, vol. ii. p. 218.

speculates, with doubt and anxiety, on the fate of the 'vigorous and hazardous' measure he was about to bring forward. Ch. 28. 1784.

But, though suddenly and strangely hurled from power, the Coalition were firmly persuaded, that they should almost immediately recover their ascendancy. With a great majority in the House of Commons, and with an equal following in the country, increased, as they flattered themselves, by an unconstitutional invasion of the freedom of Parliament, unprecedented since the time of Charles the First,[1] they would return to power with the additional strength which proverbially accrues from the discomfiture of a hostile cabal. And it seemed as if their confident expectations would be fulfilled. The seals of office, which had been taken from North and Fox, were delivered by His Majesty to Lord Temple, who, accordingly, sent letters of dismissal to the other members of the Government. It is to be presumed, therefore, that Temple had undertaken the task of forming a new Administration; but, from some unexplained cause, two days after this event, he resigned his office, retired from Court, and took no farther part in the new arrangements. His excuse, or the excuse made for him, was, that he could with more propriety meet any charge which might be preferred against him as a private member of Parliament, than clothed with the influence

[1] Fitzpatrick to Lord Ossory.—*Correspondence*, vol. ii. p. 220.

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of office. But he should have thought of this before he assumed the grave responsibility, which attached to a Minister of the Crown at such a critical moment, and before he took upon himself, in his capacity as an hereditary counsellor of the Crown, to advise his sovereign, that a measure of the first importance, which his constitutional advisers had thought fit to promote, was one which would deprive the Crown of half its power.[m] Nor was there any charge pending against him. The House of Commons, which adopted the resolutions of the 15th of December, had no thought of pursuing Earl Temple. The decent forms of the Constitution assume, that every act of the Sovereign is done in pursuance of advice; but it was notorious, that the vote of the House of Commons was really meant as a vote of censure, not upon a meddlesome lord, but upon the Crown itself. Temple, in truth, was a man of wayward temper and slender capacity; and he soon found, or was speedily convinced by others, that he had undertaken a task to which his ability and his authority were wholly unequal. By his youthful and aspiring kinsman, who intended himself to be Minister, and none other, the pretensions of Temple were treated with contempt. The haughty chief of the Grenvilles retired to brood over his chagrin at Stowe, and William Pitt kissed hands as First

[m] Memorandum of 1st of December, presented to the King by Thurlow and Temple.

Lord of the Treasury and Chancellor of the Exchequer.[n] Ch. 28. 1784

Pitt was twenty-four years of age when he became Prime Minister of England. He had already attained the highest reputation as a speaker in the House of Commons, and was, therefore, considered qualified for the highest offices in the State. Since the dissolution of Lord Shelburne's Ministry, he had assumed the post of Leader of the Opposition; and in that capacity was, of course, designated for a prominent place in the next Administration. Nevertheless, it is hardly possible to conceive a concurrence of circumstances less favourable than those under which Pitt became First Minister. A Court intrigue had displaced a Ministry powerful almost beyond precedent in ability, in experience, and in parliamentary influence. Fox, and North, and Burke, and Sheridan had been rudely expelled from power. Against this formidable band, Pitt could oppose little more than his own illustrious name and rising reputation. His cousin, William Grenville, and the ready Scotch lawyer, Dundas, were the only members of his Ministry to whom he could look for the least support in debate; and even these men were not of sufficient mark to be

[n] According to Wraxall, Temple resigned, because Pitt refused to consent to an *immediate* dissolution of Parliament.—*Memoirs*, vol. ii. p. 459. Wraxall's authority is not worth much; but it was not unlikely that Temple would urge such counsels, and resign in dudgeon if his advice was not adopted.

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included in his Cabinet.[o] Before him was an insulting majority, confident in their strength and in the tried ability of their leaders, unrivalled in eloquence, in knowledge, and in power. The state of the empire was critical. India must be dealt with by a policy hardly less vigorous and resolute than that which the new Government had denounced. Ireland was in a condition which required all the authority, wisdom, and promptitude of the English Government. The revenues of the kingdom were in a state of disorder and embarrassment, resulting from the late war, which called for the highest talents of a financier. To meet these accumulated difficulties, the youthful Minister could rely only on his own resources and the support of the Crown. He could hardly hope that these would avail; and he shared in the general opinion that his attempt was desperate. Such was the commencement of the most durable and most potent administration that has ever guided the fortunes of this country.

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[o] The Cabinet consisted of Mr. Pitt, First Lord of the Treasury and Chancellor of the Exchequer; Lord Thurlow, Chancellor; Earl Gower, President of the Council; the Duke of Rutland, Privy Seal; Lord Carmarthen and Lord Sydney, Secretaries of State; and Lord Howe, First Lord of the Admiralty. The Duke of Richmond was Master of the Horse, but not in the Cabinet. Dundas and Grenville held the offices of Treasurer of the Navy and Paymaster. It is remarkable that Lord Shelburne was not included in these arrangements. It does not appear that he was even consulted, nor did he ever again fill any office in the Administration.

The day after the dismissal of the Secretaries of State, the writ for Mr. Pitt's borough of Appleby was moved, amidst the derisive laughter of the crowded benches on the left of the Chair; and Mr. Fox intimated, with the applause of his supporters, that the uniform practice of postponing important business until the first Minister should have resumed his seat was not to be observed on this occasion. Even the ordinary courtesy of yielding pre-audience to a Minister of the Crown was denied. Mr. Dundas, the only representative of the new Government present, having risen simultaneously with Mr. Baker, a member of the Opposition, was not allowed to speak, though called upon by the Chair; and it was not until the Speaker remonstrated, that the Minister was vouchsafed a hearing. His proposal, which was merely to facilitate the passing of a Money Bill, already advanced towards its last stage, was opposed with as much vehemence as if it implied a vote of confidence in the Government; and it was in vain that the practice of the House, and the exigencies of the public service were urged in support of the motion, before a majority deaf to reason, and blind with party rage. This was an ominous commencement of an opposition, on the justice and fairness of which the country would soon have to decide.

At the next sitting of the House, Grenville announced the resignation of his brother, Lord

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Temple, and his readiness to meet any charge that might be brought against him. Fox, however passed by this challenge, with a contemptuous observation that the noble Earl was the best judge whether he should remain in office or not, and proceeded to move the order of the day, that the House should resolve itself into a Committee on the state of the nation. The Opposition had been accused of shrinking from the consequences to which they had committed themselves by the resolution of the 17th of December, in not following up that resolution by a proceeding against Lord Temple. But I am not aware of any proceeding which could have been taken. The charge against Lord Temple, even supposing it could have been established by legal proof, was hardly a ground for impeachment; and the attempt to influence the votes of Peers of Parliament by an unconstitutional use of the King's name was certainly no breach of the privileges of the Commons.[p] It was Temple himself, who

[p] Lord John Russell says, 'Had the House of Commons traced to Earl Temple, advice given to the King against measures which his authorized ministers were pursuing, and had they asked the King to dismiss him from his presence and councils for ever, they would have pursued a bold, perhaps a dangerous, but assuredly a constitutional course.'—*Life of Fox*, vol.ii. p.51. This appears to be not quite accurately stated. Lord Temple, as a peer of the realm, had a constitutional right to advise the King that his Ministers were pursuing bad measures: his fault, I apprehend, was, in privately communicating to certain peers the King's desire that they should vote against the measures of his authorized Ministers.

shrunk from his duty, far more than the House of Commons from theirs. Having taken upon himself to advise his sovereign against the measures of his Ministers, as he had admitted in his place in Parliament that he had done, he should have been prepared to assume the responsibility which attached to him by his sovereign having acted on that advice; and so far from resigning therefore, he ought to have retained his office,[q] and supported the crown in the policy which he had recommended it to pursue. It would have been time enough to resign his office, when any charge against him had assumed a tangible shape.

Before the House adjourned for the Christmas holidays, the Opposition carried an address to the crown, against either a prorogation or dissolution of Parliament. An assenting answer was returned, in addition to which, the Minister took the unusual course, of authorizing Mr. Bankes, a member unconnected with the Government, to give the House a similar assurance.

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[q] This is well put by Lord North in one of his speeches, 'Secret influence, which might formerly have been problematical, was now openly avowed. A peer of Parliament had given secret advice, and gloried in it. He would not say that a peer or a privy counsellor had not a right to advise the Crown; but he would contend, that the moment he gave such advice, he ought to take the seals, and become a minister, that advice and responsibility might go hand in hand.'—*Parliamentary History*, vol. xxiv. p. 291.

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Factious proceedings of the Whigs.

The recess afforded the country opportunities of being informed more particularly as to the character of the extraordinary political proceedings of the last few months; but, while the tendency of public opinion was adverse to the party deprived of power, the latter seemed to be wholly ignorant that their conduct was undergoing unfavorable criticism out of doors,[r] or that their return to power, was a question of anything beyond weeks or days. Accordingly, when Parliament re-assembled in January, the war of faction was resumed, at the point where it had been left. Hardly had the Speaker taken the chair, when Fox, without waiting until Pitt and the other Ministers, who were in attendance for that purpose, had taken the oaths, insisted on bringing forward his motion for a committee on the state of the nation; nor would he give way to the Minister, notwithstanding he declared that he was charged with a message from the

[r] It is still more strange, that the same infatuation should have possessed the Whigs with regard to the King. Soon after the settlement of the Prince of Wales's allowance, which had nearly resulted in a breach between the King and the Ministry, Fox writes to Lord Northington in these terms:—'I believe the King is neither pleased nor displeased with us; that he has no inclination to do anything to serve us or to hurt us, and that he has no view to any other administration which he means to substitute in lieu of us.'—*Correspondence*, vol. ii. p. 118. At this time, His Majesty was plotting with Thurlow and Temple how to get rid of a Ministry which had forced themselves upon him, and to which he never even pretended to give his confidence.

Crown. Having at length obtained a hearing, Pitt complained of the violent and unjustifiable proceedings which had taken place during his absence, and asked the House to postpone the Committee — which, in fact, was nothing more than an engine for launching resolutions against the King and the Ministers of his choice — in order that he might be enabled to bring in a Bill to regulate the affairs of India which, it was admitted on all hands, was of urgent importance. In answer to this not unreasonable request, he was met by a demand for an explicit assurance, that there should be no dissolution until the Indian question, and other matters recommended in the Royal Speech, at the commencement of the Session, should be disposed of. But Pitt prudently declined answering the question.

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A dissolution of Parliament inevitable.

It was indeed manifest, from the temper of the majority, that an early dissolution was inevitable, unless the Ministers should give way. Several resolutions were moved, and of course carried, in consequence of Pitt's refusal to enter into any positive engagement with regard to the duration of the Parliament. It was declared a high crime and misdemeanor to apply any public money to the services already voted, unless an appropriation act shall have passed before the prorogation. Another resolution reiterated the truism, that there should be an administration, which had the confidence of the House and the

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public. The second reading of the Mutiny Bill, was then put off for six weeks. Another resolution censured the Ministry, for having obtained office by unconstitutional means. In this manner, the House was occupied all night, and until half-past seven in the morning.

Conduct of the Opposition.

On the 14th of January, Mr. Pitt was allowed to bring forward his India Bill. The Opposition having insisted on the necessity of immediately settling the affairs of India, as a principal argument against the premature dissolution of Parliament, could not refuse the Minister an opportunity of proposing his scheme, although its fate was decided beforehand. The Bill was substantially similar to the one which he brought forward, and carried with a high hand the following year. The plan, which differed essentially from that propounded by the late Government, was denounced by Fox, as an attempt to set up the opinion of an individual against the declared sense of the House of Commons. He described the Bill itself as utterly devoid of merit, partial and incomplete, crude and undigested, founded on secret influence, and which, if adopted, must inevitably terminate in public ruin. The Bill was rejected on the second reading, but by so small a majority,[8] that considerable uneasiness was visible in the ranks of the Opposition. It was plain that the contest rapidly

[8] The numbers were 222 and 214.

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approached its crisis, and that victory was not so certain. After the division on the Ministerial measure, Fox immediately obtained leave to bring in a third India Bill, and in doing so, asked once more, whether Parliament was to be punished by dissolution for the spirit and firmness which they had displayed? And he called for a distinct answer to this question. Pitt however, perceived the advantage which he had gained, and began to meet the furious attacks of his opponents with passive resistance. He deigned not, therefore, to give any answer to the peremptory demand of the leader of Opposition. The menaces and entreaties of other members were equally unavailing; and the significant silence of the Minister was far more terrible to his adversaries, than the most pointed invective. The debate—if that can be called a debate, which was no more than a series of wild and passionate reproaches from a discomfited faction—was not brought to a close until two in the morning. It was Saturday, over which the House would according to usage have adjourned; but Fox insisted they should meet at noon, in order, as he said, that the Minister might have an opportunity of atoning for the insult which he had offered them, in refusing any explanation of his purpose.

Fox obtains leave to bring in a fresh Bill.

The House re-assembled in great agitation; but the party leaders, no longer persisted in the vain attempt to intimidate the undaunted Minister.

Agitation in the Commons.

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The anxiety of members to know their fate, hushed for the moment the angry voice of faction. Powys, a country gentleman of great estate, respected for his candour and moderation, and the disinterestedness of his public conduct, was the first to stand up on this occasion. Tears filled his eyes as he rose and asked, in broken accents, and a humble tone, if, without intruding on the secret counsels of the Crown, he might enquire whether they might expect to meet on Monday? Pitt drily replied, that it was not his intention to advise the Crown to prevent the House meeting on Monday; and with this assurance, they were content to separate.

An attempt to form a new Coalition.

At this period, an attempt was made by a party of members of the House of Commons, not immediately connected with either of the contending factions, to put an end to the contest, with the view of forming a united administration. An address to this effect, with fifty-three signatures, was agreed to at a meeting at the St. Albans Tavern, and presented to the Duke of Portland, and to Mr. Pitt respectively. Both statesmen expressed their concurrence with the object of the requisitionists; but the Duke declared that an indispensable preliminary to such a negotiation was Mr. Pitt's retirement from office. To this condition, Pitt was not disposed to agree. It was understood also, that the King insisted on nominating four of his

friends,[t] or about a half of the projected Cabinet.[u] A proposal based on such a stipulation, could not be entertained for a moment; and ultimately, without making any express reservation, the King desired Pitt to open a communication with the Duke of Portland, with the view of forming a united administration, on a *fair and equal basis*. The Duke took exception to these terms. The word 'fair,' was vague and general, but 'equal,' was a phrase of a more specific character, and seemed to imply a partition of power. Pitt replied, that the language in which his communication was couched might be explained at an interview. But the Duke would not waive his objection; and thus the attempt failed at its commencement. The country gentlemen at the St. Albans Tavern, expressed their regret that the negotiations should have gone off upon the meaning of a word, which either party might have given up. The worthy mediators might have seen that this difficulty would have been easily disposed of, if either party had been willing to enter into negotiations; but that a word was sufficient to frustrate it, when there was no such disposition. The independent members got no thanks from anybody, for their well meant, but futile attempt to compose this great quarrel of twenty years, which had lately been revived with every

[t] Lord John Russell's *Life of Fox*, vol. ii. p. 75.
[u] Ibid.

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circumstance of exasperation, and was now in the agony of a final conflict; nevertheless, the meeting at the St. Albans Tavern made an effort to accomplish their benevolent object, through the medium of a vote of the House of Commons. Their chairman, Mr. Grosvenor, moved 'that the present arduous and critical situation of public affairs required a firm, efficient, extended, and united administration, entitled to the confidence of the people, and calculated to terminate the divisions and distractions of the country.' To this resolution, all parties could readily assent, and, as it hardly afforded a convenient text for the usual recriminations of the evening, Mr. Coke of Norfolk proposed a more pointed vote, that the continuance of the present Ministers was an obstacle to the formation of such an administration as the House had declared to be desirable. Upon this, Mr. Pitt assumed an attitude of defiance. He said, the motion, if carried, would form an effectual bar to the proposed union. Was he to cast off his armour, and beg to be admitted as a volunteer in the army of the enemy? If the House wished to put an end to the Ministry, it might address the Crown, or impeach them for their crimes. The motion was carried by a majority of nineteen, and the challenge of the Minister was accepted, by the House ordering that the two resolutions should be laid before his Majesty.

The Lords now, for the first time, took part

in this memorable conflict. Resolutions were adopted by large majorities, censuring the proceedings of the Lower House, as tending to restrict the right of the Crown in the appointment of Ministers. An address was carried in conformity with their resolutions. Ch. 28. 1784

Manifestations of public opinion also began to take place. Fox, with questionable prudence, had challenged the Court party to show that they were supported by the feelings of the country; and the challenge was readily accepted. The metropolis, which at all times must take the lead in demonstrations of this character, responded to the appeal made by the partisans on either side; and the result shewed, that opinion was pretty equally divided on the great questions which agitated the House of Commons. The genial character and popular principles of Fox made him a favourite with the public; but the hearts of many, whose fathers had worshipped William Pitt, now yearned towards the inheritor of that illustrious name, and felt an English sympathy with the gallant youth, who so stoutly maintained an unequal struggle against a host of powerful foes. At a meeting of three thousand persons, held in the Court of Requests at Westminster, Fox, though member for the city, could not obtain a hearing, and, with his friends, was thrust out of the building. The old sentiment of loyalty, too, which had slumbered for more than a hundred years, was again awakened, and a cry rose through the length and Public meetings.

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breadth of the land against the shameless factions which had laid aside their long animosities for the purpose of uniting to coerce their Sovereign, and deprive him of his just rights.

Virulence of the Opposition.

The Opposition, nevertheless, proceeded unchecked in their career. They discussed at their private meetings the expediency of stopping the supplies, but many hesitated to go this length; and when Fox tried the temper of the House so far as to move for a short adjournment, his majority dwindled to twelve. No further attempt, therefore, was made to obstruct the money votes. The parliamentary war, however, was still carried on with undiminished vigour. On the 20th of February, after the contest had lasted several weeks without intermission, an address to the Crown, in a sense similar to that of the resolutions and motions which had been daily recorded, was carried, after a debate protracted until five in the morning, by a majority of twenty-nine.

Determined conduct of the King.

It was sufficiently manifest from the answer which the King was advised to return to this address, that all hope of compromise was at an end. His Majesty refused to dismiss his ministers, on the ground that no charge had been made against them, either collectively or individually; and he plainly told the Commons, that his Ministers had the confidence of the country. Such language as this could be preparatory only to that extraordinary exercise of prerogative which the Opposition had so strongly deprecated. It was

Votes as to want of confidence.

not necessary that the Commons should allege any particular misconduct as a reason, or, indeed, assign any reason whatever, for a vote of want of confidence in the Ministers of the Crown. An opinion of their incapacity is a sufficient ground for such a vote. It would have been difficult to shape any specific charge against the Duke of Newcastle, or Lord Bute, or Mr. Addington, or Mr. Perceval, who were all respectable and well-meaning Ministers; yet the House of Commons would have been perfectly justified in declaring, that they had no confidence in either of those statesmen. The wholesome control of Parliament over the Executive Government would be greatly impaired, if an address to the Crown for the removal of its Ministers must be founded on a stated charge, of the sufficiency of which it follows, that the Sovereign must assume the dangerous responsibility of deciding. Such a rule would, in effect, preclude the House from ever proceeding in such a matter by way of address, and would force them to the less convenient and less direct mode of attaining their end by the obstruction of the public service. The royal answer, in referring to the state of public opinion out of doors, was likewise undignified and unconstitutional. An assertion on that subject was calculated to provoke retort. If there had been addresses to the King in approval of his Ministers, there had been public meetings in a contrary sense. The only mode in which the Crown can with propriety

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appeal to public opinion, is by means of the undoubted prerogative of dissolution.

Inflammatory language of Fox.

All these topics were urged with exaggerated force, and with language of the most inflammatory character, by Fox and his adherents in the debate. They would address the Crown no more in the usual manner, but would embody their grievances and complaints in the menacing and ominous form of a *representation*. But the House was not prepared for this violent proceeding. Many who had hitherto followed their party became alarmed; the time-servers, in obedience to their instinct, went over to the winning side. The great chief of the Opposition saw, with dismay, the defection of his supporters; and the consciousness of approaching defeat was visible in the bitter invective which he hurled at the deserters. The representation was carried by a single vote.[v]

The struggle in the House of Commons was, therefore, virtually at an end; and the war must now be transferred to the constituencies.[w] The supplies were voted without farther opposition; the Mutiny Bill was passed after some faint demonstrations of resistance; and on the 25th of March Parliament was dissolved.

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[v] The numbers were 191 to 190.

[w] 'Our battle,' said one of the ablest adherents of the Coalition, 'is converted into a campaign.'—Sir Gilbert Elliot to Harris, 10th March.—*Malmesbury Papers*, vol. ii. p. 64.

CHAPTER XXIX.

TERMINATION OF THE STRUGGLE BETWEEN THE KING AND THE WHIG PARTY — GENERAL ELECTIONS — PITT'S FINANCIAL MEASURES — STATE OF IRELAND — INDIA BILL — SINKING FUND — REFORM BILL.

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George the Third's determined opposition to the Whigs.

GEORGE the Third ascended the throne with one leading principle of action; and by adhering to it with undeviating constancy, he at length attained the success which usually follows determined perseverance. To humble the Whig oligarchy, and to reclaim the full independent exercise of the prerogative which the arrogance of a domineering faction had almost rendered obsolete, were the objects to which he devoted all his energies. The Whigs, accustomed to consider themselves the heirs of the Revolution, and the rightful possessors of political power, had, for nearly fifty years before the King's accession, parcelled out among themselves the great offices of state, and distributed all the patronage of the empire. It was no very hopeful undertaking for a young prince, inexperienced in affairs, with no

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faithful and able counsellor at his side, with no party in the nation, to enter upon a conflict with a great and powerful body, the hereditary pillars of his throne, and which the country had long been accustomed to consider as the natural guardian of their liberties. An open and direct attack on such a formidable connection must soon have ended in discomfiture; but the King had qualities which peculiarly fitted him to conduct with success the only kind of action which could be ventured upon, without peril to himself, in such peculiar circumstances. He was patient and long-suffering, reserved, vigilant, and cunning, attentive to every detail of business, and careful to encourage and reward those who were inclined to attach themselves to his service.

The King's tortuous policy.

His first rash attempt to set up his mother's chamberlain as Prime Minister of England was never repeated. After the failure of Lord Bute, the King adopted a secret and tortuous policy as best adapted to his purpose. He fomented the jealousies which had long existed between the great Whig houses. He organized a small and select band of individuals, mostly too obscure and insignificant to have any dependence but on his favour, or any opinion but his will. These men he provided with seats in Parliament, with small offices and pensions. Their business was to collect information, to fetch and carry tales, to listen, to whisper aside, to act as spies on the ostensible Minister, to counterplot his plans, to undermine

his credit, and, when required by special order, to vote against him in Parliament. These people were flattered by the title of the King's Friends; a designation intended also to be significant of the thraldom in which His Majesty was held by those who pretended to call themselves his Public Servants. We have seen how Ministry after Ministry languished and sunk under the insidious operation of this system. It was in vain, that one statesman after another struggled to get free from the toils which surrounded him. Remonstrances, menaces, stipulations were employed in turn. As it was a necessary part of the plan that the cabal should be disavowed, every attempt to crush it was eluded. If the chief of His Majesty's Government complained that certain subordinate officials had intrigued or voted against his measures, the King would very decorously express his displeasure, and go through the form of reproving the delinquents. If the great man, on being summoned to the royal closet, made it a condition of his accepting the seals of office, that there should be no secret agency, the pledge was readily given; for the existence of secret agency had never been admitted. Whether it was Grenville who lectured, or Chatham who rated, or Rockingham who dictated to his royal master, His Majesty met every form of objurgation with the same passive resistance. At length, the King found a man of character, ability, and station, unconnected with any of the great political families, who was willing

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to undertake the Government under his direction. The services of the King's Friends were no longer required when public affairs were conducted by a Minister who was the obsequious agent of the Court; and, therefore, during the long administration of Lord North, the Cabal was a disembodied corps, but ready, upon an emergency, to resume their organization.[a] They were in full activity during the late Government, but after Pitt's accession to power, there is no further trace of the King's Friends as a separate and peculiar party; from that period they were absorbed among the regular supporters of the Government.

Obloquy thrown upon the King.

George the Third has been covered with a load of obloquy for the mode in which he sought to discredit his responsible Ministers, and to assume a power which, according to the spirit of the constitution, and consistently with the freedom of Parliament, he can exercise only by delegated authority. But a candid consideration of the circumstances in which he was placed, will relieve the memory of this monarch from much of the censure which has been heaped upon it. When George the Third came to the throne, the English Government was, in practice, assuming the form

[a] During the Coalition, Jenkinson, the leader of the King's Party, having been taunted in debate with having resumed his active duties, had the effrontery to appeal to Lord North, whether he, when Prime Minister, had ever experienced secret influence? North could of course conscientiously answer in the negative.—*Parliamentary History.*

Weakness of George I. and George II.

of an exclusive oligarchy. The independence of Parliament was all but lost through the decay of the constituencies, the corruption of the electors, and the increase of nomination boroughs. The King, though his prerogative still existed in theory unimpaired, had no more real power than a Doge of Venice, or a Merovingian King in the hands of the Mayor of the Palace. Neither of the two immediate predecessors of George the Third was in a condition to assert the rights and privileges of the Crown. The Elector of Hanover succeeded to the throne in middle age, a stranger to the laws, the manners, the very language of the island, with a disputed title, and therefore not likely to attempt the revival of high prerogative maxims. The next German King, for nearly the first half of his reign, had to contend against the pretensions of a competitor who divided the allegiance of his subjects. From the time when the combined factions succeeded in overpowering the great Minister, who had alike disappointed the reactionary schemes of the Tories, and repressed the selfish arrogance of the Whigs, the pressure of the oligarchy was most severe, and the King could only chafe with impotent rage under the cold relentless thraldom to which he was subjected. But George the Second died, and his grandson, 'born and bred a Briton,' in the vigour of his youth, ascended a throne now established on the firmest foundation; and if his first impulse was to throw off the ignoble yoke which had been imposed upon his predecessors, it

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was one surely deserving of sympathy. The first attempt, prompted by the generosity and rash confidence of youth, signally failed; and it is not to be forgotten, in favour of this prince, that he did not resort to indirect means until open resistance had proved impracticable.

Unpopularity of Lord North.

The country, resentful of the petulant folly which had thrust an obscure Scotch lord into the place newly vacated by Pitt, and which, within the memory of the existing generation, had been filled by Walpole, took no part in the weary conflict which ensued between the young King and the great families, whose arrogance and ambition overshadowed the throne. The administration of North was not calculated to recommend to popular favour the new system of government by courtiers in preference to that of statesmen, who, whatever their faults might have been, dictated the policy for which they were responsible. When, therefore, the Whigs returned to power on the ignominious termination of the American War, which they had consistently and courageously opposed, notwithstanding the public prejudice in its favour, a great opportunity was before them; and there can be little doubt, that if they had acted with prudence and public spirit, they must have secured a long tenure of power. Their course lay plain before them. A measure of Parliamentary Reform was called for by the country; was demanded by the justice and reason of the case, and was suggested by political expediency

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Whig want of unanimity.

as the only effectual means of putting an end for ever to the secret intrigues and cabals of the Court. An alliance with the son of Chatham, who, it was evident from his first appearance in the House of Commons, must soon rise to the head of affairs, was, above every other connection, to be cultivated. But, instead of making Reform a capital measure, the Ministry of Lord Rockingham left it an open question; they were distracted by the same personal jealousies and rivalries which had formerly left them a prey to the Court, and had excluded them from any share in the Government during twelve eventful years. The members of the Cabinet intrigued and caballed against each other as actively as ever the King had intrigued and caballed against the Cabinet. The result was a schism. Half, and that the most important half, of the Ministry, headed by Fox and Burke, withdrew into avowed opposition; the remaining half obtained the aid of Pitt, by offering him the great post of Chancellor of the Exchequer. Fox and his friends, by an act which was at once a political crime and a blunder, sought to balance the advantage which Shelburne had gained by allying himself with the youthful hope of the nation. They thought they could do so by forming a connection with the man whom they had, for the last ten years, denounced as a public enemy, the worn-out tool of prerogative, the insolent contemner of popularity, the disgraced chief of an administration which had inflicted greater calamities on the

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country than had been endured since the days of the Cabal. It would have taken long years of wise and patriotic government to have effaced the memory of this outrage upon the decency and morality of public life, and to have confirmed the power obtained by such unworthy means. But the subsequent conduct of the Whigs was marked with the same infatuation which had led to the union with Lord North. The coalesced Ministry had to deal with a question of great magnitude and novelty. A happily-conceived plan for the government of India, which should have redeemed the national character from the reproach which had justly fallen upon it, and, at the same time, have opened up the sources of wealth and commerce which our Eastern Empire was capable of yielding, might have gone far to atone for the Coalition. But their India Bill was so unhappily framed as to afford to their opponents some plausible ground for asserting, that it was designed, not so much with a view to the good of the people of India and the prosperity of this country, as to consolidate and perpetuate their own possession of power.

Case of Powell and Bembridge.

Among the minor causes, which aided in discrediting the late Government, and in raising the fortunes of their successors, there are two or three worthy of mention. Colonel Barré, who had been paymaster in Shelburne's administration, had dismissed or suspended two clerks in the office, named Powell and Bembridge, for

defalcations in their accounts. Burke, who succeeded Barré as paymaster, restored Powell and Bembridge to their situations. These men, at the time, were held to bail; and whatever might have been Burke's opinion, as to their guilt or innocence, it was in the highest degree indecent to re-instate them in their employment before they were acquitted in course of law. But so far from being acquitted, one of these persons was convicted and sentenced; and the other committed suicide before trial. The conduct of Powell and Bembridge had been investigated by a treasury board, at which Pitt, as Chancellor of the Exchequer, presided; their report was of such a character, as left the paymaster no discretion as to the course which he should pursue; and it was by the order of the Treasury, that the case was laid before the Attorney General, with a view to prosecution. The re-appointment of these delinquents was brought to the notice of the House of Commons, by Martin, a member of the Opposition, who described it in terms hardly too strong, as 'a gross and daring insult to the public.' Burke started up in a violent passion, and would have given Martin the lie, had not Sheridan pulled him back into his seat. On a subsequent day, when Burke undertook to justify his conduct, it was expected that he would be at least prepared to state his own conviction of the innocence of the inculpated clerks; and the grounds upon which he had

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arrived at that conclusion; but, so far from making any such statement, he admitted that their conduct was exceedingly questionable, and to the astonishment of his hearers, he read his own letter to Powell on his re-instatement in office, in which he admonished that gentleman of the grave suspicions attached to his conduct, and that he would be again dismissed, if he should be found guilty of the felonies laid to his charge. In the meantime, Burke assured the House, that by the improved arrangements of the paymaster's office, sufficient precaution was taken against any risk from the employment of clerks, who lay under the imputation of fraud and embezzlement. Nobody who knew Burke, attributed this strange proceeding to any discreditable motive, but rather to that singular lack of judgment and discretion in which he was as much below ordinary men, as he was raised above them in respect of the rarest endowments of the human mind. But the appointment of two half convicted cheats, to offices of trust and emolument produced less impression on the public mind, than a rash word which fell from the lips of the Attorney General, in one of the debates on the India Bill. When the arguments as to the violation of chartered rights was pressed, he, instead of meeting it in the manner which the gravity of the objection demanded, affected to treat it with contempt. 'What was a charter,' said the first law officer, 'a skin of parchment, with a piece of wax

dangling at the end of it, compared with the happiness of thirty millions of people, and the preservation of a mighty Empire?' Such loose doctrine as this might be employed to cover any act of spoliation. Every corporate body in the kingdom, aggregate and sole, took the alarm, and prepared to defend its property against this new principle of confiscation for the benefit of the human race. Every proprietor who held his tenements and hereditaments, by virtue of a parchment with a seal of wax dangling at the end of it, was disposed to resent such an insolent disparagement of his rights. Nothing tended more to the discredit of the India Bill and its authors, than this unlucky defence of its most questionable provision, by the head of the legal profession.

Among other causes which contributed to the downfall of the Coalition, was the apparent unwillingness to reform the abuses, and retrench the extravagance of the public expenditure. Lord North's administration had issued a commission of enquiry into the state of the public accounts and the public offices. The reports of the Commissioners, had from time to time disclosed numerous frauds and irregularities; and the Shelburne Ministry, under the direction of Pitt as Chancellor of the Exchequer, had prepared a measure of reformation. This measure Pitt brought forward after he had quitted office, but his successor, on the pretence that the proposed

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alterations could be effected without the intervention of Parliament, prevailed, not indeed in the House of Commons, but in the Upper House, to defeat the Bill. Pitt, on his return to power, took an early opportunity to renew the measure, and, by carrying it with the weight and authority of his Government, earned the reputation of a consistent and upright Minister. He greatly increased his reputation, by an act of personal disinterestedness—almost of magnanimity—rare indeed, but which might have been expected from the son of Chatham. During the heat of the struggle with the ejected Coalition, a rich sinecure, the clerkship of the Pells was vacated by the death of Sir Edward Walpole, a son of the great Sir Robert. This office, according to the precedents of those times, the Minister would have been justified in appropriating to himself. Pitt was under a stronger temptation than had urged any of his predecessors, except his illustrious father, to follow the usual course. He had little or no private fortune; and in the event of the unequal conflict in which he was engaged, ending as everybody, himself and his friends included, expected it would end, in the triumph of his opponents, he had no alternative but to seek his fortune at the bar. A sinecure of three thousand a year, would have rendered him independent, and enabled him to devote his whole energies to those great aims of public life, for which he was so eminently fitted. But, instead

of making his own fortune, Pitt gave the place to Colonel Barré, for the purpose of redeeming the pension of similar amount, which the administration of Lord Rockingham had so scandalously bestowed upon him. It cannot fail to be observed, however, that if Pitt had been actuated solely by motives of public duty, the simplest and most effectual course would have been, to abolish this rich sinecure altogether; but such a proceeding might have passed unnoticed, and certainly would not have had such an imposing effect as that which he adopted, and which, to many of his admirers, appeared as if he had paid off a public incumbrance at his private charge.

Great popularity of Pitt.

The Dissolution of Parliament found the country eager to respond to the appeal. Never since the reign of Anne, had so great an amount of public spirit been exhibited at a general election. Many of the large constituencies discarded their old members, men of great estate, in favour of adventurers, who promised to defend the crown against an overbearing oligarchy and shameless factions. The great County of York, the head quarters of Whig agitation during the time of Lord North, the county of the Marquis of Rockingham, returned a young gentleman, who, at that time had little pretension to so great an honor, beyond his being the personal friend of Pitt,[b] and the energetic denouncer of the Coalition,

[b] 'The name of being Mr. Pitt's friend has carried several popular elections. His own success at Cambridge was amazing.

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which he described with some point, as 'exhibiting the characteristic vices of both its parents, the violence of the one, and the corruption of the other.' Wilberforce owed his election chiefly to the manufacturers, who were staunch supporters of Church and King, and uncompromising in their hostility to the pernicious doctrines of free trade, with which Burke was misleading the Whig party. Pitt himself was returned for the University of Cambridge. The incorporated boroughs in which the elective franchise was limited to the municipal bodies, returned the candidates who were pledged to maintain inviolate the sanctity of charters. In fact, there was no interest or fancied interest in the country, hardly any passion or prejudice to which the partizans of the New Administration could not make a plausible appeal. Fox himself, though personally popular, had the greatest difficulty in regaining his seat at Westminster, at that time the most intelligent and spirited constituency in the empire. The poll was kept open for forty days, the utmost period allowed by law. For twenty-three days he was in a minority, but on the fortieth day, he headed

Wilberforce returned for Yorkshire.

He carried Lord Euston's election by the votes he gave him. Numbers refused to vote for Lord Euston, till it was clear that he would support Mr. Pitt in Parliament. Lord Compton had the same question asked him in Northampton, and he was sent by his constituents from his own election to vote for Mr. Pitt at Cambridge.'—Lord Sydney to the Right Hon. Thomas Orde, 6th April, 1784.—*Bolton* MSS.

the Tory by two hundred and forty-six votes. Unparalleled exertions had been made to secure this result. Women of rank and beauty, the famous toasts of the day, condescended to take an active part in the election, and by the employment of arts beyond those of the most zealous partisans of the male sex, succeeded it is said, in captivating many of the electors. On the day of the declaration of the poll, although the returning officer refused to declare the election, because a scrutiny had been demanded, Fox was carried in triumph to Devonshire House, where he was received by the Prince of Wales, the Duke and Duchess, and a large company. The Prince, indeed, went so far as to ride through the streets, wearing Fox's colors, and a sprig of laurel in his hat. Yet amidst all this exultation, it was well known that the verdict of the country had been pronounced against the Whigs, and that for the first time in the course of seventy years, they were the minority of the House of Commons. In fact, the Whig party was utterly routed, and the victory of the Court was complete. The young Minister, whose appointment a few short months before had been greeted with shouts of derision, was now almost powerful enough to defy opposition.

Meeting of the new Parliament.

The New Parliament met on the 18th May; the late Speaker resumed the chair without opposition, and though the Royal Speech avoided any topic calculated to provoke controversy, the

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Opposition were determined to force an immediate trial of strength. An amendment to the Address, censuring the late dissolution of Parliament was moved by the Earl of Surrey, and, after a party debate of the usual character, was rejected by a majority of more than two to one, in a full house.[c]

Westminster election.

The refusal of the High Bailiff of Westminster, to make a return in accordance with the poll, would have excluded Fox from the house of Commons, at the commencement of the Session, had he not taken the precaution of procuring his election for another place. The High Bailiff was clearly wrong, in refusing to make a return, according to the exigency of the writ; and in assuming the conduct of the scrutiny which had been demanded on behalf of the defeated candidate, he intruded on the province of the House. The statute law,[d] though not explicit upon the precise point, was, upon fair and reasonable intendment, sufficient to warrant a return of the candidate who had the majority on the poll. There was no precedent either way; but on principle, the point was free from doubt. The duty of a returning officer is merely ministerial, and if he were to take upon himself to determine the validity of an election before he made a return, the privilege which the House of Commons

[c] The numbers were 282 to 114.

[d] 10 and 11, W. 3. c. 7.

has always maintained with jealousy, of itself determining the validity of controverted elections, would be virtually superseded; and the House itself might be kept incomplete for an indefinite period, by the caprice or insolence of a functionary over whom it has no control.

Pitt's impolitic conduct.

Pitt was so ill-advised, as to support the arbitrary and illegal conduct of the High Bailiff; and he succeeded for a time in gratifying an unworthy resentment against his distinguished rival. For a whole session, Westminster was wantonly deprived of its representatives; but at length the better sense of the House prevailed against the petulance of the Minister, and the petty vindictiveness of his followers. In the following session, a motion, ordering the High Bailiff to make an immediate return in accordance with the poll was lost by a majority of nine only; and a few days after, Mr. Pitt's attempt to defeat a similar motion by an evasive amendment, left him in a minority of thirty-eight. The Members for Westminister immediately took their seats; and a Court of Justice ultimately awarded Fox two thousand pounds as damages in an action which he successfully maintained against the High Bailiff.

Pitt's financial measures.

Pitt's first operations in finance were received with favour, even by the Opposition. The late war had left a floating debt of fourteen millions. Of this amount, he proposed to fund about a half, and to raise nine hundred thousand pounds a year

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by new and increased taxation. The additional imposts were, on the whole, fairly distributed. The rich were made to contribute to the revenue in respect of horses, licenses to kill game, gold and silver plate, hats, ribbons, and gauzes. Taxes on luxuries seem, at first sight, the least exceptionable of all imposts; but they are hardly consistent with sound fiscal principles, and only to a very limited extent can they be relied on as a source of revenue. A tax laid on an article, the use of which may be limited, or altogether dispensed with, is really favourable to the rich man; it enables him, to the extent to which it is imposed, to assess the amount of his contributions to the State, and, therefore, to diminish the proportion of the public burdens which it was intended he should bear; thus giving him an advantage over the general tax-payer, whose burdens are, for the most part, so exactly adjusted, that he cannot relieve himself from any considerable part of them. The reduction in the demand for articles of luxury, which are subjected to special taxation, the consequent diminution of trade, and of the demand for labour, are sufficient arguments for a very cautious and sparing application of imposts of this character. It was also proposed to derive a revenue from coals, candles, paper, bricks, and some other commodities. The tax on coals was subsequently abandoned; and a compensation for its estimated produce was sought in an augmentation of the assessed taxes, in an in-

crease of the postage on letters, and in a retrenchment of abuses in the privilege of franking, which at that time, and up to a recent period, appertained to the members of both Houses. These proposals display no financial skill; they were merely of an occasional character, such as a clerk in the Treasury might have framed. The regulations as to franking were in accordance with a Report on the Post Office made to the Treasury in Shelburne's administration, when Pitt was Chancellor of the Exchequer.[e] A tax on houses and windows was also laid on, to indemnify the revenue for the losses which it had sustained by smuggling, which was carried on to a great extent, and almost in open defiance of the laws. Pitt did not venture to meet the evil in the only way by which it can be successfully encountered, by a reduction of the customs duties. He contented himself with seizing a few smuggling boats at Deal, the principal emporium of the contraband trade, and in passing the Hovering Act, which prohibited small vessels laden with spirits, tea, or coffee from approaching within four leagues of the coast. The Commutation Act, framed principally in the interest of the East India Company, had, indeed, the same object indirectly in view.

A Bill to retrieve the immediate and pressing Indian affairs.

[e] *Bolton* MSS.—Mr. Orde was Secretary to the Treasury under Lord Shelburne.

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difficulties of the Company preceded the measure for the better government of India. Pitt, like his predecessor, took away substantially the political power of the Company; and his machinery, though not open to the same objection as that which the late Government had constructed, was not less clumsy and anomalous. The Government of India was still to be administered in the name of the Company; but a new ministerial department was to be erected, which should absolutely dictate the policy of the local Government, and control every act of the administration. The whole of the patronage, comprising all the appointments of the Civil and Military Service, with the exception of the Commander-in-chief, and the higher functionaries, the nomination of whom was subjected to the veto of the Crown, was left in the hands of the Directors. In every other particular, the chartered rights of the Company were respected. They were even allowed such a participation in the higher privileges of Government as was contained in the right to examine the despatches, which they were directed to transmit; and the Board of Directors was to be the channel, through which alone the Board of Control was to communicate its will to the Governor-General at Calcutta, the Commander of the Company's forces, and the Governors of the Presidencies. Some impracticable provisions for the administration of justice, and some vexatious enactments, for subjecting the property

of persons coming from India to inquisitorial examinations, and for preventing persons returning to India, after a certain period of residence in this country, were subsequently abandoned, repealed, or never acted upon. The objections to the scheme were patent. The partition of power between the Crown and the Company, which was the main feature of the Bill, afforded the Opposition an abundant theme for censure. Nevertheless, the Bill passed the Commons by a great majority, only sixty members accompanying Fox into the lobby, while two hundred and seventy-one remained to support the Government. In the Lords, there were strong speeches against the measure, and a protest; but there was neither an amendment nor a division.

The Bill probably prepared by Dundas.

The India Bill in fact, like most other measures involving great principles or interests, resulted in a compromise. On the one hand, there was a loud demand for legislation, which should remedy the crying scandals and abuses of the Company's Government. On the other hand, the Company were too strong to surrender at discretion. They knew they must make large concessions; but they knew likewise, the importance belonging to a body which can command a score or so of votes in the House of Commons. Pitt, and the cautious colleague who sat beside him, destined to be the first minister for India, under the New Bill, knew also the value of the Indian votes in a division, even

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when a majority of two thirds of the House supported the Government. Dundas, indeed, had probably prepared the draught of the Bill. But, besides those considerations, which in our system of Parliamentary Government, influence the action of the Legislature more than the merits of the case, there was another aspect in which the question might be viewed. It would have been easy to frame a measure, which should have commanded vulgar applause, as a work of statesmanship, at once grand and simple. The Government of Hindostan might have been administered by a Secretary of State in the name of the King, like the Government of Canada or Jamaica. But the dependencies of the British empire were, more or less, governed by local institutions and customs, administered by the native subjects of the Crown. In India there were no political institutions, and the customs of the country were chiefly matters of religion. The people, incapable of governing themselves, must be governed by the European race, which occupied their soil. But, barbarous as they might be, in the estimation of Europeans, the natives of Hindostan were associated by the bonds of a civilization older than the civilization of Europe; and the government of the stranger must be adapted to habits and manners, which for ages had undergone no material change. The servants of the Company had acquired a knowledge of the people, which experience only can confer. The

Civilisation of ancient date in India.

conduct of these agents, many of them persons of mean education, and exercising a power greater than that which is possessed by any of the minor princes of Europe, had often been violent and corrupt. It was easy to denounce Anglo-Indian rapacity and oppression, and to adorn with accusing eloquence, the tales which had been carried thirteen thousand miles from the land of perjury and chicane. The government of the most arbitrary agent of the Company was probably a great improvement on that of the native ruler, whose license he modified and restrained. It might have been practicable to break off at once all connection between the Imperial Government and the Company, and all connection between the Company and the Government of India; but, considering that all the information about India which this country possessed was derived through the Company, and that all the relations which subsisted between England and her Asiatic dominions were united by the same great connecting link, it would have been surely the extreme of rashness to undertake duties of which we knew nothing, and, at the same time, to reject the only hand which could guide us in our blind enterprise. Considering, likewise, that the millions of different races and religions which were united under our sway, by an opinion of the firm and unswerving hand which grasped the sceptre, it would have been hardly prudent, suddenly, and for no reason

Hindoos accustomed to despotic power.

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which could have been rendered intelligible to the people of the East, to change their Government, to depose the authority to which they had been accustomed to bow, and to substitute some other authority which should have no greater apparent claims to their respect. There was a domestic difficulty also attending the entire assumption by the Crown of its undoubted rights over this rich dominion. The patronage of India would have seriously disturbed the well-adjusted balance of power in the English Constitution. It would have been hardly possible at that time to have devised any mode by which this vast patronage could have been so dispensed as to avoid any undue increase in the influence of the Crown, or the overwhelming ascendancy of the House of Commons. Some such measure as that which was proposed by Pitt seems to have been dictated by a wise regard to expediency. The double Government, however, was not designed for a permanent institution. The reasons which justified an arrangement so novel and anomalous, were of an occasional and temporary character. When these reasons should cease to exist, there could no longer be any pretence for perpetuating a system which had nothing but expediency to recommend it. Yet India continued to be governed under the Act of 1786, long after the foundations of that Act had crumbled away; and it was only yesterday that the sudden access of a terrible convulsion precipitated

the change, which would otherwise have been postponed for many a long year.

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The Session was brought to a close on the 20th of August, and the new Ministry had every reason to believe, as they did believe, that they were firmly established in power.[f]

Close of the Session.

The Indian question was succeeded by another subject of still greater and more urgent interest. This was the state of Ireland, which had engaged the anxious attention of the late Cabinet, and which had already occupied almost all the intervals of leisure which their successors could snatch from the immediate pressure of parliamentary business. On the very day that Parliament was prorogued, Pitt wrote a long letter to the Irish Minister on the various topics which entered into the consideration of Irish affairs.

Pitt's letter to the Irish Minister.

The state of Ireland, contemplated at a distance, seemed to be one of imminent peril, and the dismemberment of the empire in its most vital part, as a matter depending merely on opportunity. But, on a closer examination, this danger appeared to be neither very near nor very probable. Irish grievances were, indeed, not easily intelligible to English politicians. The generous impulse which,

The Irish Volunteers.

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[f] 'Our Session has concluded most triumphantly, and nothing but very untoward events can give Opposition a chance to make a better figure in the next.'—Pitt to Secretary Orde, 20th August, 1784.—*Bolton* MSS.

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on the alarm of foreign invasion in 1779, had raised an army of a hundred thousand men, fully equipped, and officered by the leading gentry of the land, had been directed towards the redress of domestic grievances, when the danger from the common enemy had passed away. The legislation of 1782, dictated as it was at the point of the bayonet, having asserted the independence of Ireland, and extorted from the imperial pride of this country a substantial recognition of that independence, the volunteers began to disperse; in 1784 they were reduced to some sixteen thousand, and in the following year they disappeared altogether. This noble body, which, for purity and loftiness of purpose, may be advantageously compared with any patriotic association of ancient or modern times, seems to have exhausted for the time all that was wise, generous or true in the political character of their country. The decay of this patriotic corps dates from the moment when political adventurers succeeded in turning them to account. It was not for the purpose of a brawling agitation, or to barter their country to a foreign power, that the bravest and noblest of the land, by a spontaneous impulse, sprang to arms. It was the defence of their country from foreign aggression; and the liberation of her from those fetters and badges of servitude which her imperious sister had imposed, that the Volunteers of Ireland had resolved to effect. These great ends

accomplished, their mission had been fulfilled. They could not lend themselves to minor details, or to questionable work. The delegation of Dungannon diverted the national army from its original purpose, changed its character, and was the immediate cause of its dispersion.

Prevalence of corruption.

Ireland was much disturbed during the whole period of the coalesced administration. Parliamentary Reform was adopted by the popular leaders, as a convenient vehicle for their revolutionary purposes. A more plausible topic could hardly have been chosen; for the state of the representation in Ireland was so bad, that it would have been difficult, even for native eloquence, to exaggerate its condition. Corruption and decay had, to a great extent, impaired the ancient Parliament of Great Britain; but its noblest parts were still untouched; and when the occasion arose, it could still be worthy of its illustrious name. But the Irish Assembly had nearly lost what little resemblance it ever possessed to a representative chamber. The House consisted of three hundred members. In 1784, when Pitt was preparing his great plan for creating a unity of interests between the two countries by an equitable adjustment of the tariff, and had, at the same time, in contemplation a measure of Parliamentary Reform, he directed the Irish Government to furnish him with particular information as to the actual constitution of the House of Commons,

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and the parties and interests by which it was influenced. In accordance with these instructions, elaborate tables and digests were prepared, shewing not only the exact state of the representation, but containing likewise an account of the political position, character, connections, and private objects of each individual member.[g] One hundred and sixteen nomination seats were divided among some five and twenty proprietors. Lord Shannon returned no less than sixteen members; the great

Distribution of Parliamentary influence.

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[g] As specimens of this curious record, I take a few entries at random.

'H— H—, son-in-law to Lord A—, and brought into Parliament by him. Studies the law; wishes to be a Commissioner of Barracks, or in some similar place. Would go into orders and take a living.

'H— D—, brother to Lord C—. Applied for office; but, as no specific promise could be made, has lately voted in opposition. Easy to be had, if thought expedient. A silent, gloomy man.

'L— M— refuses to accept £500 per annum; states very high pretensions from his skill in House of Commons management; expects £1,000 per annum. N.B. Be careful of him.

'T— N—, has been in the army, and is now on half-pay; wishes a troop of dragoons on full-pay. States his pretensions to be fifteen years' service in Parliament. N.B. Would prefer office to military promotion; but already has, and has long had, a pension. Character, especially on the side of truth, not favourable.

'R— P—, independent, but well disposed to Government. His four sisters have pensions; and his object is a living for his brother.

'T— P—, brother to Lord L—, and brought in by him, a captain in the navy; wishes for some sinecure employment.'— *Bolton* MSS.

family of Ponsonby returned fourteen; Lord Hillsborough had nine seats; the Duke of Leinster seven; the Castle itself appropriated twelve. The whole reliable strength of Government in the House of Commons amounted to one hundred and eighty-six votes. These were distributed into five classes: 1. Eighty-six proprietary seats, the owners of which had let them out in consideration of titles, offices, and pensions, in possession or expectancy. 2. The twelve seats belonging to the Government. 3. Forty-four seats occupied by placemen. 4. Thirty-two votes of gentlemen who had promises, or who had avowed their expectations of favours and qualifications. Lastly, there were twelve members not registered in the secretary's book as demanding either peerages, places, or pensions, and, therefore, set down as supporting the Government on public grounds. Besides these, there was a party of twenty-nine, who, though willing to cultivate private intercourse with the Ministers, affected, and sometimes asserted, an independent position in the House. The regular Opposition appears to have been limited to eighty-two. Of these, thirty were the nominees of Whig proprietors, and fifty-two represented the popular party.[h]

Flood's measure.

Under the auspices of the Convention of Delegates sitting in Dublin, a measure of sweeping

[h] *Bolton* MSS.

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Reform was introduced in the House of Commons by Mr. Flood, a popular leader of great eloquence, but the most factious and unprincipled member of that factious and corrupt assembly. Envy of Grattan, who, as a benefactor of his country, had been raised to an eminence which no aspirant to the honours and emoluments of patriotism had yet approached, seems to have determined Flood to extreme popular courses. His arts had already succeeded, to some extent, in depreciating the services, and diminishing the influence of his great rival; and he now aimed, by means of the popular question of Reform, to supplant him altogether. A motion such as this, which directly affected the property and personal interests of three-fourths of the members, gave rise to a scene of violence and tumult unexampled even in that assembly, where every important debate usually resulted in an appeal to the pistol. The popular members took their seats attired in the uniform of the Volunteers. Infuriated menaces were retorted on either side. The authority of the Chair, the rules of the House, the order of a deliberative assembly, were alike disregarded amidst the raging passions which prevailed. The Bill was, of course, rejected; but, early in the following Session, Flood renewed his attempt in a form, modified with a view to conciliate the favour of that part of the Opposition which had always professed to be favourable to Parliamentary Reform. And thus

even Grattan was forced, though much against his will, to give a qualified support to the proposal. The consequence was, that the Bill was discussed with some degree of moderation; and the minority, instead of being only fifty, as on the former occasion, amounted to eighty-five, which, as has been shewn, nearly represented the effective strength of the Opposition.

Ferocious conduct of the mob.

The rejection of this Reform Bill was the signal for an outbreak of popular fury. The mob forced their way into the House, and put most of the members to flight. A series of outrages followed; and the savage populace gave a sample of the malice and ferocity of which the Celtic race are capable when their blood is warmed. The odious practice of tarring and feathering they adopted from the Americans, whom they had been lately taught to imitate. The cruel and dastardly act of houghing was likewise resorted to, in revenge for the denial of the elective franchise; but instead of inflicting it upon animals, the Irish populace perpetrated this inhuman torture on their fellow-creatures. Many poor soldiers, who gave no other offence than that of wearing the red coat, and other persons from mere wantonness, were maimed in this manner. Under pretence of carrying into effect the orders of the Convention, and of supporting its authority, private grudges were avenged; and creditors were deterred from enforcing their demands by threats of tarring and

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feathering, and, if the demand was considerable, with loss of their ears. The principal persons in authority were threatened with personal violence, if any attempt should be made to enforce the laws; and so formidable were these menaces considered, that it was not thought prudent for the Lord Lieutenant to go abroad without a sufficient guard.[i]

Shop-keepers and priests implicated.

These disorders were, however, mainly confined to the capital; and, from the excesses by which they were characterized, it need hardly be added, were confined also, in a great measure, to the ignorant and needy population. The Roman Catholics and the lower order of priests were largely implicated in these proceedings; many of the Dublin shopkeepers were active instigators of sedition; and even some of the merchants and higher class of traders were well pleased that some pressure should be put upon the Government, with the view of extorting those commercial concessions which it was so much their interest to obtain. The demagogues who swayed this promiscuous multitude were men of desperate fortunes, none of them occupying any social position, and most of them Roman Catholics.[j] Two or three briefless barristers and broken attorneys, a strolling player, a billiard marker, a journeyman

[i] Correspondence of the Irish Government.—*Bolton* MSS.

[j] Report to the Irish Government.—*Ibid.*

saddler, and one or two small tradesmen, comprised the working staff of sedition in the city of Dublin. These men acted chiefly under the direction of James Napper Tandy, who fled from the gallows in the rebellion of 1798. He had narrowly escaped a similar fate before he took part in political affairs, having been tried for shooting a butcher. At that time he carried on the business of an ironmonger. By his superior energy and intelligence, Tandy soon obtained the ascendant among the popular leaders. There were only two individuals of station who openly countenanced the seditious proceedings in the capital. These were the Earl of Bristol (Bishop of Derry), and Sir Edward Newenham. The first appears to have been bordering on insanity, if not actually of unsound mind. As a peer of England and a prelate of the Irish Church, having a great stake in the welfare of both islands, it is difficult to conceive any rational motive which could have urged him to effect a separation between the two; a measure which many Irishmen were deluded enough to advocate as beneficial to their own country, but which none was found so absurd as to deny must be fraught with danger and difficulty to the sister kingdom.

Scene at a dinner table.

An account of what took place at the table of the prelate-peer on a particular occasion, will convey a more lively idea of this singular patriot than any description could afford. In the month

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of August, 1784, two young officers of a regiment quartered at Coleraine, visited the Bishop's palace in the vicinity, for the purpose of seeing the paintings and other objects of interest, for which the palace was famed. The gentlemen were received by the Bishop himself with the utmost politeness; and, after shewing them every attention, he induced them to honour him with their company at dinner. Among the guests, which consisted principally of military men, were the Bishop's son, Colonel Hervey, who commanded the battalion in the district, three other field-officers, two of them in command of regiments, and the two subalterns from Coleraine. During dinner, nothing could exceed the good breeding and amenity of their dignified host; but no sooner was the cloth removed than the scene changed. The Bishop began by drinking the health of his son, who was present. 'Gentlemen,' said he, 'this is Colonel Hervey of the Coleraine battalion; he is your superior officer, and will shortly try the stuff you are made of; I hope that ere long we shall meet in the field.' One of the company, somewhat disconcerted at this unexpected intimation, said he hoped they should meet as friends. 'Never, sir,' answered the bishop; 'I am happy to see you under this roof as gentlemen, but in a military sense I shall never look on you as friends.' Upon this, one of the subalterns interposed a hope that his lordship, as a divine

missionary, would appear in the field with his book of prayer to preach peace. '*Pax quæretur bello*,' was the reply. The Bishop went on to contend with eagerness, that the time was now arrived when Ireland should erect herself into an independent state. A gentleman present could not restrain himself from declaring that he gloried in the name of Englishman; and the *Earl of Bristol* being an Englishman also, he was surprised at the difference in their sentiments. The Earl replied, that he was at one time an Englishman; but it was no longer his boast. He hoped to see the union of England and Ireland dissolved; he was of opinion, that no country could be better prepared for a revolution than Ireland was at that time: and he looked forward to the day when Ireland should be as independent of England as America was. The whole company was at this time in a flame with wine and indignation, 'for,' says one of the narrators of this scene, 'we were all drunk, he (the Bishop) likewise. I left the room unable to contain myself any longer, trembling with passion.' Other guests followed the example of this gentleman; and the party soon afterwards broke up.[k] Of the Bishop of Derry's lay

[k] A memorandum of this conversation was furnished by Lieut.-Colonel Dundas, one of the officers present, to the Irish Government. Another account is that of the subaltern, contained in a letter to a friend, which found its way to the castle. —*Bolton* MSS.

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coadjutor, Sir Edward Newenham, little is known; for the Baronet was as close and cautious as the Bishop was rash and undisguised. Newenham never committed himself by taking an active part; but maintained an intimate correspondence with Napper Tandy. He was also supposed to be principally in communication with the foreign agents, who had been sent or invited to Ireland, for the purpose of watching or aiding the revolutionary movement. France, Spain and America had, each of them, numerous spies and half accredited emissaries in the country; and the agents, at the first, had gone such lengths, as to make it a question whether the British Government, should not make a representation to the Court of Versailles.[1]

The course of domestic treason was not, however, sufficiently prosperous for the foreign enemy to hazard any step, while he could not readily retrace. The revolutionary movements, in fact, had not spread far beyond the capital; the efforts to establish seditious associations in the country towns, being, for the most part, kept down by the influence of the local gentry and clergy, of both denominations. The higher orders of the Roman Catholic clergy and laity, were all but unanimous in discountenancing any attempt to obtain redress

[1] Correspondence between Mr. Pitt and Irish Government.—*Bolton* MSS.

of their grievances, other than by legal and constitutional means. It was difficult, indeed, to see how the success of such a movement as that which was going on in the Capital could better their condition. The popular leaders had never proposed the emancipation of their Catholic fellow-countrymen from civil disabilities as a part of their plan of political regeneration. On the contrary, Flood had denied the suffrage to the Catholics, in his wide measure of Parliamentary Reform. Sir Edward Newenham departed from his habitual reserve, so far as to declare his hostility to the pretensions of the Catholics to an equality of civil rights. Even Napper Tandy despaired of effecting such a union of the Irish people as would enable them to achieve their independence, unless the Catholics could be induced to forego their claim to a participation in the Elective Franchise.[m] The Catholic body plainly saw that they had nothing to hope and everything to fear, from a Parliament elected under a suffrage which was to include everybody but themselves.[n] Nor was there anything inviting in the prospect of the erection of

[m] *Intercepted Correspondence.—Bolton* MSS.

[n] One of the Catholic Newspapers of the day, alludes to the rejection of Flood's second Reform Bill in these terms:—'Never was the interposition of heaven more visible than in the rejection of the plans of Reform adjusted at the National Convention; and one would be almost tempted to think that a certain assembly

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Ireland into a Protestant republic, or even of her annexation, if such an event was possible, to the dominion of the Most Christian King.

Critical state of Ireland.

Such was the state of Ireland, when the New Administration found themselves established in power. The critical condition of that vital part of the British empire had lately engaged the serious consideration of their predecessors in office. Mr. Fox, in his correspondence with Lord Northington, down to the day of his resignation, had expressed a decided opinion, as to the policy which ought to be pursued. He thought that concession and conciliation had gone far enough; according to his phrase, the account between England and Ireland was closed in 1782. He regarded the continued existence of the Volunteers, as incompatible with all regular government, and he urged upon the Irish Government, the expediency of refusing all demands, which were supported by that body, and a resolute determination not to be swayed, in any way, by their movements. His opinion was, that the Irish were a nation of jobbers, and that, next to a job

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acted from motives of virtue when they rejected it, which, had it been adopted, might have proved fatal to Ireland; fatal, because it tended to disunite, and must have effectually alienated the affection of the Catholics.'—*Herald, September* 14th, 1784. Immediately after the rejection of Flood's Bill, the Roman Catholic Archbishop of Cashel, and his suffragans of the Province of Munster, thought proper to record their sentiments in a resolution expressive of loyalty and confidence in the Government.

for himself, the Irish patriot looked to a job for his country.[o]

1784. Pitt's plan of policy.

Mr. Pitt's views were widely different; and, whatever may be thought of their practical tendency, they were certainly of a more enlarged character than those of the Whig statesman. Pitt was of opinion, that Ireland had still grievances to complain of, and that, until these were redressed, it was hopeless to expect tranquillity, or to establish a Government in that country. His plan of policy, comprehended Parliamentary Reform, and the adjustment of the commercial relations of the two countries on an equitable footing. Although aware of the complicated difficulties which beset any attempt at a reform in the representation—difficulties far greater than any which have prevented the settlement of the question in this country—Mr. Pitt still strongly urged upon the Irish Government the propriety and expediency of devising some means by which the scandals and iniquities of the House of Commons should be redressed.[p] The idea of a complete union between the two kingdoms, which he

[o] *Correspondence*, vol. ii. p. 170.

[p] 'Let me beseech you to recollect, that both your character and mine for consistency are at stake, unless there are unanswerable proofs that the case of Ireland and England is different, and to recollect also, that, however it is our duty to oppose the most determined spirit and firmness to unfounded clamour or factious pretensions, it is a duty equally indispensable to take care not to struggle but in a right cause.'—Mr. Pitt to the Duke of Rutland, 7th October, 1784.—*Bolton* MSS.

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carried into effect sixteen years afterwards, in the only manner in which such a scheme was practicable, was, at this time, present to his mind;[q] and he indulged the hope, that it might be worked out through the agency of a Reformed Parliament, and a free trade. The first was soon given up as impracticable. The ingenuity of man could not contrive a scheme by which a proud, slothful and needy aristocracy, should be induced to part with the means of obtaining peerages, places, and pensions for themselves, or their dependents; by which the popular party should be persuaded to abandon revolutionary projects for moderate reform; by which Protestants should be satisfied to share political privileges with Catholics; or by which Catholics should consent to Protestant ascendancy. It was on his commercial policy, therefore, that Pitt was forced to rely, for establishing the relations of the twin islands on a friendly footing. He was of opinion, that the internal poverty and distress were the cause of all the discontent that prevailed;[r] and he hastened to the conclusion, that commercial freedom would

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[q] He wished to make England and Ireland one country in effect, though, for local concerns, under distinct legislatures. '*One*, in the communication of advantages, and of course in the participation of burdens. If their unity is broken or rendered absolutely precarious in either of these points, the system is defective, and there is an end of the whole.'—Mr. Pitt to the Duke of Rutland, 5th January, 1785.—*Bolton* MSS.

[r] Letter to Secretary Orde, 19th September, 1784.—*Ibid.*

prove the remedy for these evils. But commerce was, in fact, emancipated by the Acts of 1780, which threw open the whole foreign and colonial trade to the Irish ports; yet the poverty and distress of 1783, had been greater than the poverty and distress of 1780. The fact was, that the Acts of 1780, were almost a dead letter; they had been demanded at the point of the bayonet, but, when obtained, they were left to work out the prosperity of trade by their own inherent virtue. There was little or no capital or enterprise in the country; no means had been provided for conducting commercial undertakings on a scale adequate to the facilities which had been opened to them. There was no system of credit[s] established, no foreign correspondence; there were no mercantile arrangements of any kind.

Reasonableness of Pitt's plan.

Pitt's plan was, on the face of it, simple, just, and reasonable. Ireland, by several acts of the Imperial Parliament, but, chiefly by the legislation of 1780, was free to trade with Europe and the British colonies in the West Indies. The proposal was, that the American and African trade should be, in like manner, opened to her, and that colonial produce, which could already be

[s] One significant fact is mentioned by the Irish Chancellor of the Exchequer: 'The Bank of Ireland, which was to do the business of the whole kingdom, have *never subscribed any capital*, and began with £60,000 only, which they borrowed at the same interest they are themselves allowed to take.'—Mr. Foster to Secretary Orde, 30th October, 1784.—*Bolton* MSS.

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conveyed in Irish bottoms to British ports, might be re-shipped from Ireland to any part of Great Britain. By way of equivalent for these concessions, the surplus of the hereditary revenues of the Crown in Ireland, was to be appropriated to the common defence of the realm. And, as the hereditary revenue was derived, principally, from imposts on commodities, the contribution demanded from the sister kingdom, would, according to this arrangement, be adjusted in proportion to the benefits which she obtained from the removal of restrictions upon her trade and commerce. Resolutions, embodying these provisions, were proposed to the Irish House of Commons, in February. They were, on the whole, well received, and, though Mr. Brownlow, a leading member of the popular party, denounced them as an insidious attack on the independence of the Irish Parliament, they were commended by Grattan, as just and beneficial to the country; and were unanimously adopted by both Houses. In a few days, Pitt laid them on the table of the English House, and explained their purport in a speech which expounded the enlarged principles of a sound commercial policy. Such views, however, were far in advance of the bigoted and selfish notions which then generally prevailed, and especially among merchants and manufacturers. The Opposition quickly perceived the opportunity afforded them, by this bold innovation on established maxims, and they

hoped, by an appeal to popular ignorance and sordid prejudice, to ruin the growing reputation of the youthful statesman. They demanded time, which Pitt, with generous confidence in the force of truth and reason,[t] readily granted. A distant day was named. In the interval, petitions came pouring in from Lancashire, and the great seats of commerce and manufactures. A Committee of merchants sat in London. A cry was raised, that the great Charter of Commerce, the Navigation Act, was endangered; the British markets would be undersold, and the English operatives would be thrown out of employment, by the competition of cheap Irish labour. Witnesses were examined, and Counsel were heard at the Bar of the House, in support of their propositions. In this manner, several weeks were wasted. Pitt sought, by a modification of his scheme, to remove these objections. The eleven resolutions, which had been accepted by the Irish Parliament, received material alterations and additions; and, ultimately, twenty resolutions were submitted to the consideration of the British House of Commons, on the 12th of May. The second and most important of the original resolutions, by which Ireland was to be admitted to a participation, on

[t] 'The more the subject is discussed, the more our cause will be benefitted. . . . . There are melancholy prophets here (as is always the case), who are not without their fears; but I do not myself entertain a doubt of complete success.'—Pitt to the Lord Lieutenant, 4th April.—*Bolton* MSS.

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equal terms with Great Britain, in the commerce of the world, was now qualified, by excepting the trade with India; a restriction which would deprive Ireland of at least half the benefit she might derive from the proposed treaty, when the monopoly of the Company should be determined. There were several amendments of a minor character; but one of the interpolated resolutions, the fourth in the amended draught, introduced a new term into the compact; it provided, that the laws for regulating trade and navigation, should be the same in both kingdoms; and that such laws and regulations should be framed by the Parliament of Great Britain, and be ratified by the Parliament of Ireland.

Opposition of the trading interest.

These concessions were of little avail in abating the opposition to the measure. The commercial interest was not to be propitiated by any modification of a scheme which was to lay them open to competition. The provision for giving legislative supremacy to Great Britain in matters of trade and commerce, the merchants and manufacturers regarded merely as a circuitous attempt to evade what they justly pointed out as the real remedy—*a union with Ireland under one legislature.* The leading opponents of the measure in the House of Commons were more vehement against the resolutions in their amended form than in their original state. Fox and North, in opposing any farther concession to the Irish people, acted consistently with the policy they had pursued in office. Fox,

in one of the latest letters which he addressed to Northington, the Lord Lieutenant under the Coalition Ministry, declared, that the account between England and Ireland 'was closed in 1782.'[u] Ignorant of the laws of political economy,[v] the great orator regarded the commercial question between England and Ireland as a question of bargain or extortion, in which the one sought to obtain from the other something which could not be conceded without a proportionate loss. In this spirit, he denounced the scheme as 'a tame surrender of the commerce and manufactures of our country,' and exerted the utmost power of eloquence, to give effect to the vulgar and selfish prejudice with which the measure was assailed. Lord North, indeed, roundly asserted, that Ireland had no right to a share in the British markets, which ought to belong exclusively to the British manufacturer; and that until both countries were united under one Parliament, it was neither just nor equitable that the one should be enriched at the expense of the other. He went still farther, and denied that Ireland had ever demanded the concessions which this country was about to yield; they were erroneously called Irish propositions, being the spontaneous offering of England. In the last stage of the Bill the Opposition took new

[u] Fox to Northington, 1st November, 1783.—*Correspondence.*

[v] He admitted that he had never read Adam Smith, and that the science of Political Economy was above his comprehension.—Butler's *Reminiscences.*

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ground. Having in vain endeavoured to obstruct its progress through their own Parliament, they sought to defeat the measure on Irish ground, by inflaming the too susceptible jealousy of the sister kingdom. Sheridan took the lead in this unfair and factious warfare. He said the Irish Parliament would not dare to pass these resolutions; and, should they hesitate, he appealed to the people to assert their independence. Fox followed in a like incendiary strain; and Burke, who had not the excuse of ignorance on such matters, which might be urged on behalf of Fox and Sheridan, for the sake of his party, belied those principles which he had so nobly vindicated in 1780 at the cost of his seat. He did not, indeed, venture openly to attack the policy of free-trade; but, after endeavouring to disparage the scheme in the strain of coarse and clumsy ridicule, which he so often affected in debate, he took the course which, of all others, was calculated to excite a fatal prejudice against it in the sister country. He drew an invidious comparison between the two kingdoms, describing England as the great ruling power which must ever sway the sceptre, and Ireland as necessarily occupying a subordinate and subservient position: an inevitable truth indeed, and the force of which was most acutely felt by the keen-witted islanders themselves, when they most passionately asserted their freedom and independence. These sensitive people were now told by British statesmen of the highest

authority, that the project of the British Government was a badge of their inferiority; that it annihilated their new-born liberties, and made them tributaries to the superior power.

Stormy debate.

These acts of a desperate and unscrupulous faction had the desired effect. Long before the Bill had left the English Parliament, ominous murmurs from the other side of the Channel indicated the reception which it would find in the country for whose benefit it was designed. The Bill embodying the resolutions did not arrive in Ireland before the end of July; and on the 2nd of August it was introduced in the Irish House of Commons. Mr. Orde proposed an adjournment of ten days, in order that the Bill might be promulgated through the country before it was discussed; but the leaders of the popular party insisted that the Bill ought to be immediately rejected; and Flood gave notice of a motion declaratory of the independence of the Irish Parliament. On the motion for the first reading, the Bill was assailed with the whole force of Irish eloquence. Grattan, Flood, and Curran vied with each other in raising a storm of patriotic oratory, such as had hardly ever been heard even in the Irish Parliament. In vain did the English Secretary, in a clear and comprehensive speech, explain the provisions and bearings of the measure. It was not often that the voice of reason and moderation was heard in that chamber; and on this occasion it was drowned in the tumult and excite-

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ment which prevailed. No independent member of an assembly, in which almost every man was a speaker, ventured to rise in support of Mr. Orde. The Attorney General, Fitz-Gibbon, a man remarkable for his courage and contempt of popular professions, came to the rescue of his colleague, and addressed himself to the congenial task of exposing the exaggerations and absurdities of the patriots. The Chancellor of the Exchequer and another Minister faintly attempted to sustain the debate. On the division, the Government prevailed only by the narrow majority of nineteen. This was equivalent to a defeat; and the Minister announced that the Bill would not be pressed farther during the present session. Public rejoicings took place, Dublin was illuminated; and throughout the island the event was celebrated as a deliverance from a great calamity.

Propriety of Pitt's scheme.

Such was the termination of Pitt's first attempt to deal with an Irish question; a branch of domestic policy which has perplexed and baffled every leading English statesman from that time to the present. The commercial propositions had been elaborated with the greatest pains. Pitt had been in communication with the principal members of the Irish Government, both personally and by correspondence, for several months. The English Board of Trade, under his direction, had investigated the subject in all its bearings; and every information which could elucidate the subject, and lead to sound conclusions, had been

exhausted. That the measure would have to encounter prejudice and misconstruction on either side of the Channel, the Minister was fully aware; but he was as fully persuaded, that the more it was discussed, the more it would recommend itself to the approbation both of those classes in this country against whose interests it seemed to militate, and of the Irish people, for whose welfare it was more especially designed. This faith he retained unshaken up to the last hour; and, so far as England was concerned, his confidence was justified. Before the Bill had reached its final stage in the British Parliament, public opinion had come round, groundless alarm was dissipated, and the Bill was passed with a general acquiescence,[w] if not with a hearty assent. But in the sister island little reliance could be placed on that sober sense and candour, for the action of which in this country a public man, however adverse his fortune for the time may be, seldom waits in vain. It

[w] 'This business grows to be relished more and more in this country, as the different facts of it come to be understood; it meets with general approbation, and unless Opposition meets with encouragement from what may pass in Ireland, all their hopes are at an end. I do assure you, that I do not represent the state of things in too favourable a light. . . . . Many persons startle at some things that are entirely new, and do not at first see the necessity; of them but great numbers have changed their opinions here, and have of late warmly supported what they were first alarmed at.'—Jenkinson to Secretary Orde, 1st August, 1785.—*Bolton* MSS. There was no better judge on such a point than Jenkinson.

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must be admitted, however, that the course which Pitt pursued was calculated to alarm the sensitive jealousy of the Irish nation. If he had thought fit, in the first instance, to submit his policy in the shape of definite propositions for the approval of the Irish Legislature, it became the more incumbent on him to take the sense of the Irish Legislature upon those propositions after they had been modified to meet the objections of the more powerful country. But this course was not taken; and the Parliament of Ireland had a right to complain, as they did complain, that they were asked to adopt a measure founded on terms materially varying from those to which their assent had been asked and given. The only answer which could have been made to such a complaint was, that the propositions had not been altered in a sense adverse to the interests of Ireland. The fact, however, was unfortunately otherwise. The second of the original propositions, which admitted Ireland on an equality with Great Britain to the commerce of the world, came back with one exception, which seemed intended to exclude her from any share in the most lucrative branch of that commerce. But there was one of the English clauses, which of itself was sufficient to decide the fate of the measure in Ireland. It was impossible to deny, that the fourth resolution, which denied to the Parliament of Ireland the initiative of any laws and regulations affecting commerce, did materially compromise its independence, and would have

justified it, on the precedents and practice of the British House of Commons, in the indignant rejection of a Bill which contained such an offensive provision.

The tendency of this transaction was to prove, that the existence of independent Legislatures in England and Ireland was incompatible with the union of the two countries, and to prepare the way for the great measure of union which was accomplished a few years later.

Want of interest in Reform.

In this Session, Pitt redeemed his pledge to bring forward a measure of Parliamentary Reform. But the moment at which this subject was revived, and the new form in which it was introduced, seemed to imply, that the Minister was more intent on getting rid of a troublesome pledge, to which he had committed himself under other circumstances, than desirous of bringing the question to a happy conclusion. The demand for Reform, which had been excited by the pressure of the American War, and the miserable Government of Lord North, had subsided with the return of more prosperous times, and a confidence in the administration of public affairs, which had not been felt since the commencement of the reign. The plan itself was the weakest and the least practicable of any which had been proposed. Yet it is certain, that Pitt felt a sincere interest in the subject, that he believed it to be one of prime importance, and that his measure was framed with the view of removing the practical difficulties

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which stood in the way of substantial reform.[x] His idea was simple and sound; but the machinery by which he proposed to carry it into effect was so futile and absurd, as to cast a doubt upon the good faith of its able author. The principle was the one which Chatham had always maintained, namely, the increase of the county representation by the extinction of the small and decayed boroughs. Seventy-two additional members were thus to be given to the counties, and the constituency was to be enlarged by the enfranchisement of copyholders. A fund was to be raised to indemnify the patrons of the boroughs which were to be deprived of representatives; but, as the transaction was to be placed on the footing of a bargain between the Borough-monger and the State, it rested entirely with the former, whether the plan should be carried into effect, or remain a dead letter. To meet this objection, it was intended that the unused fund should accumulate at compound interest, so as to reach a point which would tempt the cupidity of the man least disposed to part with his borough. A more childish or ridiculous scheme it would be difficult to conceive. If this kind of bastard ownership in boroughs was to be recognized as legitimate property, it should only have been for the purpose

[x] Mr. Pitt pressed his plan with enthusiasm, not only in the House of Commons, but in private, with such friends as he thought he could influence.—*Diaries and Correspondence of the Right Honourable George Rose*, vol. iv. p. 35.

of presently attaining a great public object; the borough might have been disfranchised forthwith, and compensation awarded on the well-established principle, by which private property is arbitrarily taken under the authority of Parliament for public purposes; but to lay out a plan for the constitution of the House of Commons, and to leave the adoption of that plan, either wholly or in part, either to-day or to-morrow, dependent on the will of a few individuals, was not only trifling with a great question, but setting the authority of Parliament at nought. The Bill underwent a full debate, and was rejected by a majority of seventy-four. Pitt made no farther attempt during his long administration to stir this subject; and the great question of Parliamentary Reform was virtually abandoned to two generations of demagogues and adventurers, and at length redeemed from the discredit into which it had sunk, by the measure of 1832.

Bill for regulating public offices.

The only measure of importance which Pitt was enabled to carry during this Session, was a Bill for the regulation of public offices, for retrenching wasteful extravagance and peculation in the several departments, and for providing an efficient audit of the public accounts. A Commission had been appointed, when Lord North was Minister, for the investigation of these matters; and the result had been a voluminous report, upon which the Bill brought in by the Government was, in fact, founded. The subject had engaged the special

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attention of Pitt, when he held the office of Chancellor of the Exchequer, under Lord Shelburne, and he had drawn the attention of Parliament to the subject after he had quitted office. He shewed that the nation had lost immense sums, by leaving balances for a succession of years in the hands of clerks and accountants; that many public servants, though amply paid by salaries, were deriving large emoluments from fees and perquisites; and that, in some cases, they received a per centage upon amounts which it was their duty to control and check. The habitual abuse of privileges by public officers frequently amounted to malversation. Secretaries and clerks had been known to furnish their houses and maintain their domestic establishments at the public expense. Under the head of stationery, the most impudent frauds had been perpetrated; and Pitt instanced a charge in a single year of more than three hundred pounds to Lord North, the Prime Minister, for pack-thread. The mention of these cases by a man, who had held high office, was quite sufficient to prove the necessity for some stringent measure; but the Coalition Ministry treated the matter as merely one of administrative detail, and though they could not prevent Pitt's Bill from passing the Commons, they took care that it should be defeated in the Upper House. This ill-judged opposition to a measure so plainly reasonable, was regarded out of doors as an attempt to screen scandalous abuses,

and contributed not a little to the unpopularity with which the Coalition was soon afterwards overwhelmed.

Pitt's measure carried.

The measure which the former Administration had with difficulty defeated, being now brought forward with the authority of a far more powerful Administration, was passed without a division in either House. Sheridan and Burke distinguished themselves among the Opposition, by the perverse violence with which they still resisted this most just and necessary Reform. The plan was to be carried into effect by separate Acts; one for the regulation and audit of the accounts in the Navy and Ordnance Departments; and the other for a commission of enquiry into the fees, emoluments and perquisites, received by public officers. When the latter Bill was in its final stage, Sheridan, in a style of ribaldry, to which he often descended, affected to sneer at Pitt, as a hunter of small vermin. Burke rose and demanded, in solemn tones, that Magna Charta should be read by the clerk at the table. The House, accustomed to the eccentric flights of the great orator, had come to regard them with indifference; but this portentous opening caused a laugh. Burke, whose irritable temper gave way at the slightest provocation, broke into a fury, railed at the House, as caring no more for the great Charter than for Chevy Chase, and vociferated, that the Bill — the object of which was to prevent small frauds and peculations in

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the public services — was a gross violation of the Charter, and of the common law of the land. Fox, probably from good nature, said a few words in support of his friend's extravagance; but Pitt treated the Opposition with a silent contempt, which was often more galling than his keenest sarcasm. The Bill was read a third time, and passed without challenge.

Attempt to reduce the National Debt.

Notwithstanding his signal failure in the two great measures of Free Trade and Parliamentary Reform, on which he had entered with the most assured confidence of success, public confidence in the young Minister continued without abatement; and when, in the third year of his administration, he undertook a great experiment in finance, the country was disposed to echo the boast of his admirers, that he was about to exhibit a new proof of the commanding genius which qualified him, above every other statesman, to direct the fortunes of the Commonwealth. In the last ten years, the public debt had been nearly doubled, and in 1786, it amounted in round numbers, to two hundred and fifty millions. Some effort towards the reduction, if not the ultimate liquidation of this prodigious charge, was justly expected; and when it was known that Pitt had undertaken this arduous duty, public expectation was raised to the height.

The time favorable for the reduction of the Debt.

There never was a time more favorable to an important fiscal operation. It has commonly

happened, that the resources of a financier have been tried by the actual pressure of public burdens; but it was the singular fortune of Pitt, that he had to deal with a revenue oppressed, indeed, with debt, but with a debt, which, enormous and rapid as had been its accumulation, had not increased in proportion with the wealth and prosperity of the country. At the end of the second financial year of his Administration, Pitt was enabled to announce that the public income exceeded the expenditure by one million, or about eight per cent. This surplus he proposed to appropriate towards the reduction of debt. It is now well understood that the only mode of making a surplus available to the reduction of funded debt, is by the extinction of an equivalent amount of stock. But instead of adopting this simple plan, Pitt was led astray by one of the most specious and shallow delusions that ever took possession of the human mind. He was persuaded that this million might be made the deposit of a Sinking Fund, which, in an ascertained number of years, by the operation of the law of compound interest, would infallibly absorb the whole debt of two hundred and fifty millions. There was no novelty in this idea. It had been started so early as 1716, and adopted by Sir Robert Walpole. It is not very likely, however, that the great sense and sagacity of that Minister were ever beguiled by the extravagant doctrine which imposed on

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the youthful credulity of Pitt. Walpole would be willing enough to encourage any idea which would give him the command of a resource, that might be available in case of need. And accordingly, on the first occasion when he wanted money, he resorted to the Sinking Fund; and in a very few years, he took care to mortgage or anticipate the whole of its produce. Half a century had elapsed since the extinction of the Sinking Fund, under the hands of Walpole; but though several millions of debt had been paid off in various ways during this interval, no attempt had been made to reconstruct this marvellous engine of finance. The magnitude which the debt had attained in consequence of the American War, had alarmed the nation; and men were disposed to consider with favor any project for getting rid of a burden which seemed beyond ordinary means of removal. At this juncture, an enthusiast, named Price, reproduced the scheme of a Sinking Fund, and undertook to demonstrate that, by the spontaneous action of this system, the debt of the nation would be wholly extinguished. The doctrine of a Sinking Fund, as it was laid down by Price, and implicitly adopted by Pitt, has been long since exploded; and a few words will suffice to shew the utter fallacy of the principle upon which it was based.

Plans for paying off the Debt.

Inventors of plans for the payment of the National Debt, have long been classed among incorrigible visionaries or impudent imposters;

but of all the plans that have ever been proposed, there was none more absurd than that which was deliberately adopted by the Government in 1786, with the general acquiescence of men of business; and which, for twenty years, regulated the fiscal system of this country. That the annual appropriation of a certain sum, suffered to accumulate at compound interest, will, in a given number of years, reach a given amount, is a mere matter of calculation, about which there can be no dispute. The only question is, whether this is the best mode of liquidating debt. By applying the amount annually contributed to the Sinking Fund, to the extinction of stock, the country is relieved from taxation to the extent of the interest of the stock so extinguished; but if the stock redeemed instead of being extinguished, is capitalized, it follows, that the interest must still be paid; and, therefore, the amount of this interest, which, according to the ordinary process of liquidating debts, would be remitted, is just so much added to the principal sum annually contributed to the Fund. The only result is, that a heavier burden is borne for the purpose of abridging the period, within which the whole debt is to be discharged. The extent to which this plan could be carried, is obviously limited only by the endurance of the tax-payer.

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It is not to be supposed, that the project altogether escaped criticism. Its fallacy was,

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indeed, fully exposed by unknown authors,[y] at the very time when the project was at the height of popularity; but these remonstrances appear to have attracted no attention, and accordingly, in the Session of 1786, an Act of Parliament was passed, providing for the payment of two hundred and fifty thousand pounds, quarterly, to a Board of Commissioners, who should invest these sums in the purchase of stock, either at or below par, the dividend of the stock so purchased, being placed to the credit of the Commissioners, and to go on accumulating until the Fund should amount to four millions.

This notable scheme for paying off the National Debt, by means of a fund which was supposed to possess the faculty of multiplying itself, but which was really worth no more than the proceeds of taxation contributed to it, received the sanction of Parliament, without any dissent from an Opposition, eager to seize any pretence for discrediting the measures of Administration, and not scrupulous in the means which they employed. The most that can be said for the plan is, that in times when the expenditure of the country was not in excess of ordinary revenue, it afforded

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[y] In two pamphlets, *The Challenge; or, Patriotism put to the Test, in a Letter to Dr. Price,* by Jos. Wimpey; and *Considerations on the Annual Million Bill.*—Lord Overstone's *Collection of Tracts on National Debt.*

some security for the application of a certain amount of income to the reduction of debt, and was only less advantageous than the ordinary mode of payment by the cost of management. But the author of the plan maintained that it was absolutely essential to its success, that the regular supply of the fund should not be dependent on surplus revenue; and that when extraordinary services required the aid of loans, the contribution to the fund should not be intermitted; in other words, that money should be borrowed to pay debt: and this was actually done when the surplus revenue was exhausted by the exigencies of the revolutionary war. Price's system was virtually abandoned in 1807; but the delusion was not dissipated until the publication of Dr. Hamilton's work on the National Debt in 1813; and Parliament did not formally recant its error until 1829, when it was enacted that the sum to be applied to the reduction of the National Debt, should be the actual annual surplus revenue over the expenditure.[z]

[z] 10 George IV. c. 27. Even the term 'surplus revenue' conveys a fallacious idea. An individual, who must live within his income, may be said to have a surplus when his expenditure is less than his receipts. But the State which adapts its means to its wants, and not its wants to its means, has no income but what it derives from taxation, assessed as nearly as possible to meet the actual exigencies of the public service. Any surplus, therefore, which may exist, is merely the productiveness of taxation in excess of the estimate of the Finance Minister, and

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In this Session, a proposition was made, on the part of the Government, to provide for the permanent defence of the two great naval arsenals, Portsmouth and Plymouth. This design had originated with the Duke of Richmond, who was at the head of the Ordnance Department; and had been keenly discussed already, both in the House of Commons and by the public press. The project had been referred to military and naval officers, whose report was, upon the whole, unfavorable. Assuming that the Channel was left open to the enemy by the absence or discomfiture of the British fleet, it might be necessary to provide for the protection of the great arsenals; and they recommended a chain of detached forts, as the best mode of fortification that could be adopted; but they intimated their opinion, that an invasion under such circumstances was such a bare possibility, as hardly to justify an undertaking of such magnitude. The House of Commons inclined to the same opinion. The old pride in the wooden walls of England was undiminished; the old prejudice against standing armies still existed. Pitt himself did not give a very earnest support to the project of his colleague, and Parliament refused to sanction it. The division on

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should, properly, be carried to the credit of the service of the ensuing year. Debt should form a regular head of charge so long as the supplies are provided within the year, and not be left dependent on a casual surplus.

Pitt's resolution was equal, and the casting vote of the Speaker was declared in the negative. Ch. 29. 1786

For some years past, when the affairs of India were the subject of discussion in the Commons, Burke seldom omitted the opportunity of holding up the Governor-General as the scourge and oppressor of that country. In the previous year, Hastings had resigned the Government on the expiration of his term of office, and returned to England. His reception by the Court of Directors had been marked by a due sense of the great services he had rendered to the Company. He was honoured by royal favour, and the Queen condescended to accept presents from his wife. It was fully expected that the late vicegerent of India would be summoned to take his place in the peerage of England, and that still further honours and dignities awaited the first statesman of the age. But, instead of receiving honours and rewards, Hastings soon found, that he had to defend his fortune and his freedom against the most powerful combination of foes that ever sought the ruin of a public man. Hastings' reception in England.

For some time before the storm broke, its approach was indicated by ominous murmurs. The year before Hastings quitted India, the distant thunder of Burke's accusing eloquence was heard. During the Session of 1785, Burke and Francis were busily engaged in collecting materials for the grand indictment which was in contemplation. At length, early in the Session of Burke and Francis.

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1786, Burke came forward with a motion for papers, on the production of which he announced his intention to propose an impeachment of the late Governor-General.

Hastings heard at the Bar of the House.

At first, the Ministry were disposed to discourage any proceedings against Hastings; but the question being taken up with great vigour by the Opposition, and Dundas, the President of the Board of Control, being reminded of the resolutions condemnatory of Hastings which he had moved in 1782, the difficulty was felt of a direct resistance to the movement. Burke proceeded, therefore, to reduce his charges into shape, and he exhibited them in twenty-two articles.[a] The principal were the Rohilla War; the transactions in Benares; the treatment of the Oude princes; the Mahratta War; contracts, and acceptance of presents. Hastings desired to have copies of the articles of impeachment, and to be heard at the bar in his defence. After some opposition, the authority of Pitt, aided, it is to be hoped, by a sense of justice and decency, inclined the House to comply with this demand. Accordingly, for two days Hastings was heard in reply to those charges, and to the statements of his accusers; the House immediately afterwards proceeded to take evidence in support of the several allegations; and when a sufficient ground was thus laid, the prosecutors of the impeachment began to open the several

[a] *Commons' Journals.*

charges in detail. The first charge, which related to the conduct of the late Governor-General in the Rohilla War, was opened by Burke. A clearer case was never submitted to any tribunal. Hastings, on assuming the Government of Bengal, had been instructed to improve the revenues of the province for the benefit of his employers, so far as was consistent with justice and a due regard to the interest of the inhabitants. It was natural, perhaps, that a body of traders, exercising sovereign power, should consider it their first object to obtain a dividend from the resources of the country over which they ruled. In Hastings they found a servant devoted to their interest, able, prompt, and unscrupulous. The Company wanted money, and money he was determined they should have. The Nabob of Oude desired to seize upon a neighbouring territory, called Rohilcund; but such was the warlike character of the people, that he dared not invade them, notwithstanding the numerical superiority of his forces. If he could by any means obtain the aid of European troops, his object might be accomplished. The Governor of Bengal had a small but well-appointed army, lying unemployed in and around Calcutta. The Nabob was on good terms with the Governor, and he proposed to hire the British soldiers for the subjugation of the Rohillas. The proposal was accepted; and it was agreed, that, for the consideration of four hundred thousand pounds,

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an adequate force should be placed at the disposal of the Nabob for this particular service. It can add little to the infamy of this transaction, that the Company had no quarrel with the people against whom they undertook to prosecute a war of extermination, or that the despot who sought their destruction had no other quarrel with them than that which their superiority in arms, in manners and government, was calculated to provoke. An English ruler who could bargain away the blood and valour of English soldiers for money, was not likely to be deterred by the consideration, that they were to be sold to a cause more vile and cruel than any in which mercenaries had ever yet been engaged. No such scruple, indeed, appears to have troubled the mind of Hastings. It was enough for him, that he had got four hundred thousand pounds. He performed his contract with punctuality. The noble people, whom the military rabble of Oude dared not attack, struggled in vain against European skill and discipline; and the country of the Rohillas was safely occupied by the cowardly conquerors.

If the Minister could defend this transaction, and persuade a majority of the House of Commons to agree with him, Hastings and his friends might well suppose that the impeachment was at an end. The Rohilla charge was supported by the leading members of Opposition, Burke, North, Fox, and Francis. Pitt took no part in the debate; but he

suffered his subordinates to oppose the motion; and it was rejected by a large majority. The case against Hastings was now considered hopeless; but, before it was formally abandoned, it was determined to justify the course which his accusers had pursued, by placing the facts upon which the principal charges had been founded before Parliament and the country. Accordingly, Fox, to whom, in the distribution of the articles of impeachment, the next head of charge had been assigned, brought forward the case of Cheyte Sing, commonly called the Benares Charge.

Cheyte Sing.

The transcendant infamy of the Rohilla War casts a shade over the many other iniquities of Hastings, glaring as they were. The four hundred thousand pounds of blood-money, which had been received from the Nabob of Oude, had been exhausted; and the exigencies of war, together with the incessant demands of his employers, taxed the ingenuity of the Governor to find new resources. Some years before, the Nabob of Oude, who was himself, in theory at least, no more than the vicegerent of the Mogul, had relinquished to the Company a doubtful claim to the sovereignty of the rich and populous city of Benares. The Rajah, or reigning prince of Benares, had, from that time, been a tributary of the Company, and his tribute had been assessed at a fixed sum. When war with France was declared, in 1778, Cheyte Sing was required to pay an extraordinary aid of fifty thousand pounds.

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The same amount was demanded in the following year. The requisition having been repeated in 1780, the Rajah offered a bribe of twenty thousand pounds to the Governor, with a view of being relieved from these exactions. Hastings took the money, intending, beyond a doubt, to keep it; but a fit of remorse, or a dread of detection, induced him, after some delay, to pay it over to the Company, and a fine of ten thousand pounds, in addition to the extraordinary tribute, was inflicted on Cheyte Sing for his offence. But robbery by instalment was too slow a process for the rapacity of Hastings. He demanded half a million in one sum. The unhappy prince offered two hundred thousand pounds. Hastings entered his territory with an armed force, and seized his person. A revolution in Benares was the consequence; Cheyte Sing became a fugitive, his treasure was seized; and his deposition, which completed this series of iniquities, placed an annual revenue of two hundred thousand pounds at the disposal of Hastings.

An English statesman, who had failed to discover in the affairs of the Rohillas a sufficient ground for impeachment, might have been expected to find plausible arguments to palliate, if not to justify the transactions with the Rajah of Benares. Pressed as he was by the emergencies of war, the Governor might well be excused for having availed himself of the readiest resources for the defence of the rich dominions committed to his charge. The levying a war

contribution on the tributaries of the Company, might be regarded, perhaps, as a commutation for the military contingent, which they might fairly have been called upon to furnish towards the defence against the common enemy. It was probable, that this pecuniary impost would be unwillingly paid, and it was unfair to test by English modes of procedure, the strong measures which might be necessary to meet the duplicity and evasion of an Eastern Potentate. Such an argument might have been maintained by an indulgent critic, and would have been readily accepted by a House which had negatived the Rohilla charge. But, to the astonishment of all men, Mr. Pitt, after justifying the conduct of the late Governor of Bengal up to a certain point, took offence, or pretended to take offence, at the exorbitancy of the demand made upon Cheyte Sing. The Government of Bengal, he said, were warranted in calling upon the Rajah for an extraordinary aid in time of war; the aid required was not excessive; the compulsion of payment by fine and invasion of his territory was justifiable; but the demand of half a million as a fine for the attempt to evade payment of fifty thousand pounds was out of all proportion to the offence. Mr. Pitt passed a high eulogium on Hastings, and denounced as illiberal and unjust the design imputed to him of ruining Cheyte Sing; Hastings was actuated only by zeal for the interest of his employers. Nevertheless, the Minister arrived

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at the conclusion, that the charge of corruption and violence was so far made out, that he must vote for this article of the impeachment.

This sudden change in the counsels of Administration gave rise to many conjectures, and has never been satisfactorily explained.[b] The probability is, that Pitt had not given a serious attention to the subject, and had looked upon the impeachment as a movement of the Opposition. But when he came to examine the charge against Hastings, he must have seen that the more the case was investigated, the less defensible would it become. He could not but recollect also, that suspicions had been excited in the public mind, relative to the conduct of the Company's servants; and the obloquy which had been accumulated on the head of Clive, whose services had been far more conspicuous, if not more valu-

[b] Many ingenious speculations have been hazarded to account for the sudden change in Pitt's view of the impeachment; but, after all, the plain version of the affair contained in the following letter may be the true one.

'. . . . The only unpleasant circumstance is the impeachment of Hastings. Mr. Pitt and I have got great credit from the undeviating fairness and candour with which we have proceeded in it; but the proceeding is not pleasant to many of our friends; and, of course, from that and many other circumstances, not pleasing to us; but the truth is, when we examined the various articles of charges against him with his defences, they were so strong, and the defences so perfectly unsupported, it was impossible not to concur, and some of the charges will unquestionably go to the Lords.'—Dundas to Earl Cornwallis, 21st March, 1787.—*Cornwallis Correspondence*, vol. i. p. 273.

able, than those of Hastings, and whose conduct had never been subjected to the grave imputations which were deliberately fixed upon the late Governor General, was a warning that the patience of the country might be tempted too far.

Pitt's authority over the House of Commons, was, on this occasion, exemplified in a remarkable manner; the Rohilla charge, unsupported by the Minister, was rejected by a majority of fifty-two.[c] The Benares charge was voted in the following week by a majority of forty.[d] The promoters of the impeachment, content with this triumph, or unprepared for the prosecution of a cause, which, after the fate of the first count in the indictment, they considered as lost, made no farther progress in the matter during this Session.

Commercial Treaties with France.

In the recess of Parliament, the Ministry were engaged in maturing two measures of great utility and importance. The one was a commercial treaty with France, and the other was a kindred project, the consolidation of various duties of customs and excise. An article in the late Treaty of Peace between France and England had provided for the negotiation of a commercial intercourse between the two countries. This was now happily effected by a Treaty based upon the most liberal terms, and conceived in a spirit which recognized the mutual interests of the great contracting parties. Prohibitory duties

[c] 119 to 67.

[d] 119 to 79.

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on the products of either country were to be repealed with some few exceptions. A moderate tariff, mostly for revenue purposes, was to be fixed on certain commodities. A great concession was made to France, by abolishing the differential duties in favour of the wines of Portugal, and thus abandoning the famous Methuen Treaty which had been so long considered a masterpiece of British diplomacy. The Treaty was calculated to be highly beneficial to the trade, commerce and manufactures of both nations; and to ruin the contraband traffic, which, in spite of repressive laws and a revenue fleet, had long infested the channel.[e] But above all, it was valuable in its tendency to allay the barbarous animosities which had subsisted for centuries, and to introduce relations of a more humane and generous character, between two great and enlightened communities.

The New Treaty signed.

The Treaty which had been signed at Versailles, on the 28th of September, was submitted to the approbation of Parliament on its re-assembly in 1787. The wisdom of the policy which sought to open a market for our rapidly increasing manufactures in a neighbouring country, with a population of twenty-four millions, was so striking, that Opposition, unable to urge any substantial

[e] In his speech on the Treaty, Mr. Pitt stated the legal importation of French brandy was six hundred thousand gallons, while the smuggled article was estimated at four millions.

objection to the scheme, was forced to appeal to the jealousies and animosities between the people of the two countries, as a reason for not contributing to the prosperity of our ancient foe, even though we should by the same act advance our own material interests in a far greater proportion. Fox, while he laboured this argument, seemed to feel that the exigencies of party warfare compelled him to a course unworthy of a statesman. He admitted — and the admission was valuable as shewing the improved state of public opinion—that he might be charged with giving effect to vulgar and illiberal prejudices; but he said, that these prejudices had engaged us in war, which had contributed more than any other circumstance to the greatness and glory of the country. Burke, whose penetrating intellect, when not obscured by passion or prejudice, surveyed the whole field of politics, though he could not quite bring himself to adopt the doctrine of his leader, that war and glory were more conducive to the prosperity of the nation than trade and commerce, yet was scarcely more reasonable when he denounced the narrowness of Pitt's mind in the conception of this measure. The Minister had unfolded his scheme in a speech, the singular perspicuity and intelligence of which, had conveyed information to those who had previously been little acquainted with the subject, and conviction to many, whose habitual opinions, though not hardened into prejudices, had received a violent shock from a proposal so novel as that of amicable

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intercourse with the ancient enemy of England. But Burke considered that the Minister had treated the business as a counting-house affair, a contention for custom between the Fleur-de-lis and the Red Lion! Such is a specimen of the taste and candour which too frequently gave pain and offence to his hearers, and drew down upon him rebukes such as he received on this occasion. Wilberforce lamented over the decay of faculties which, in better days, had compelled the assent and admiration of the House. Pitt affected to remonstrate with his friend for taking notice of such silly and petulant animadversions, and, in his bitterest manner, spoke of the philosophic statesman and consummate orator as a man crazed by ill-temper and spleen, whose condition, though challenging compassion, was not free from disgust. The manufacturing and commercial interest, though somewhat uneasy at the innovating spirit displayed by Pitt on all subjects connected with trade, were so much under the influence of his authority, that they hesitated to offer that opposition to his measures, which a similar policy, if ventured upon by any of his predecessors, would probably have encountered. On this occasion, the General Chamber of Manufactures and Commerce presented a petition to Parliament, in which, while they admitted that they had not been able to arrive at any certain judgment on the subject, yet craved some little delay in coming to a final decision on the treaty, on account of its awful

importance to the interests which they represented. A remonstrance so hesitating as this was not very likely to offer any impediment to the progress of the measure, which the house affirmed by a very large majority.

The other measure referred to, the plan for the consolidation of the Customs and Excise, was framed likewise with a timely recognition of the increasing importance of trade and commerce. A multiplicity of vexatious, uncertain, and unintelligible imposts were abolished, and in their place were substituted specific duties on every article; an arrangement which facilitated the transactions of commerce, simplified the collection of the revenue, and added considerably to its amount. The measure had originated in the Administration of Lord North, but had been laid aside until it was revived and brought to maturity by the diligence and discrimination of Pitt. The Bill passed with general approbation.

The Prince of Wales.

A subject of far more popular interest, though of infinitely less importance, than the two measures which have just been described, occupied the attention of Parliament in the course of this Session. The Heir-apparent, though no more than twenty-five years of age, had long since acquired an evil reputation among all ranks of men. Following the example of his grandfather, Frederick, to whose character his own bore a strong family resemblance, he had, at the outset of his public life, connected himself in close political

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and private friendship with the dissolute leaders of the Whig party, who were engaged, not merely in opposition to the Court, but in personal hostility to the King. The Prince's education had been superintended by men of learning and piety; the manners and conduct of their Majesties in private life were exemplary. Nevertheless, the austerity of the domestic circle of the Court was such, that a young man of spirit might be excused for some irregularities on being emancipated from its irksome restraint. The King, after the fashion of the age, maintained a strict discipline in his family, and a distant demeanour towards his children. He was far from wanting in paternal tenderness; the warmth of his affection for his children was occasionally displayed in a very remarkable manner; but those who were nearest his person, and were impressed with the deepest sense of his virtuous and amiable qualities, have lamented the reserve which he habitually maintained towards every member of his family. The Queen herself had none of those endearing qualities of her sex, which often maintain harmony and happiness in a family. Bred up in the rigid formality of a petty German Court, her manners were cold and punctilious; her understanding was dull, her temper jealous and petulant. It is not surprising, therefore, that the younger members of the family longed for the day when they should be emancipated from the sober state and grim decorum of the palace. The princes rushed into

the brilliant world of pleasure and excitement which awaited them, with headlong impetuosity. But the less fortunate princesses were doomed to repine in their dreary captivity, longing for marriage as the only event which could release them.[f]

The Prince of Wales entered upon life with greater advantages than had attended his immediate predecessors. George the Third, kept in seclusion during the life of his grandfather, was hardly known to his people when he began to reign. His father had been too well known. George the Second was heir to a disputed inheritance, and had little in his personal character to conciliate popular favour. If we would seek a former example of the hopeful promise which attended the opening career of the Heir-apparent, we must go back to the eldest son of James, that gallant Henry Stuart, whose early promise revived the memory of the Black Prince, and whose life, had it been spared, would probably have changed the fortunes of his house, and diverted the destinies of the country from the course they ran under the guidance of his successor. In respect of natural endowments,

[f] Throughout these volumes, I have availed myself of many curious and authentic particulars respecting the King and the Royal Family contained in Mr. Locker's Papers; but I sometimes forbear mentioning the sources from which he derived his information.

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the Prince had the advantage over all his family. His parts were above mediocrity; and he excelled in those graces of person and deportment which so powerfully recommend men in exalted station to the affections of the multitude. The former princes of the House of Hanover had been dull and ungainly, without being respectable. George the Third was slow and awkward; but the homeliness of his manners was redeemed by the decency of his private life. A Prince in the bloom of youth, handsome, gay and gracious, was, nevertheless, welcome as a relief; and he might have enjoyed unbounded popularity without impairing the attachment of loyal subjects to a good and worthy King. The faults of such an amiable Prince would have been regarded from a favourable point of view; and much license would have been allowed to his high place and youthful ardour. It was, indeed, no ordinary misconduct which could have effaced these favourable impressions. The manners of the time permitted excesses, which are no longer considered venial. So far as public opinion was concerned, the Prince might have indulged with impunity in the pleasures of the table, and in the ordinary foibles of youth. The country would readily have condoned his irregularities, and paid his debts. But there is a point beyond which toleration is not extended either to the high or to the low. Common honesty and truth are exacted from every Englishman. In these indispensable qualities the

Prince of Wales had been found deficient. It first became whispered, and was afterwards the common talk, that His Royal Highness was not a man of his word; and many adventures in which he was engaged became the subjects of public scandal.

In 1783, the Coalition Ministry, among the numerous proceedings with which, during their short career, they revolted public opinion, proposed that the ample revenue of their ally, the Prince of Wales, should be doubled. They insisted, that his fifty thousand a year should be raised to one hundred thousand. Considering that the establishment of the Prince was maintained with little show of splendour, and the notoriety of the fact, that his resources were dissipated in gaming and debauchery of every kind, a more indecent proposition could hardly have been made. The King positively refused to sanction it; and the Ministry were on the point of breaking up on this scandalous difference, when the Prince, seeing the case was hopeless, interposed to save his friends from the dilemma to which they were committed. In 1786, when Parliament was required to revise the former arrangement of the Civil List, some of the Prince's friends took the opportunity of again pressing his claims for an additional allowance; but Mr. Pitt declined to entertain the subject.

The Prince reduces his establishment.

Having no hope from the Minister, and pressed by the urgency of his creditors, the Prince applied

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for assistance directly to the King; but His Majesty, after enquiry into his son's affairs, refused to take any part in relieving him from his difficulties. In these circumstances, His Royal Highness took a step which no man of sense or spirit could have advised. He immediately dismissed his servants, sold his carriages and horses, shut up Carlton House, his town residence, and reduced himself to the level of a private gentleman of straitened means. But this proceeding failed of its intended effect. Instead of commanding public applause, as the impulse of a manly mind impatient of the humiliation of debt, it was regarded as an expedient for attracting sympathy to himself, and bringing odium upon the King. The time was gone by when an artifice so gross as the ostentatious parade of poverty of the heir apparent would have had much chance of success. The Prince had long since lost the popularity which followed him at the outset of his career; and a recent transgression, which common fame laid to his charge, had caused a greater public scandal than any of the numerous offences against decency and morality of which he stood convicted. A beautiful and accomplished lady, named Fitzherbert, in her second widowhood, at the age of twenty-five, had attracted the notice of the Prince; and he sought to obtain her on those terms which a man of his rank would propose to a woman of her condition,

But Mrs. Fitzherbert was a woman of spirit and virtue, and she spurned the dishonouring advances of the first prince of the blood. Inflamed by a resistance so unusual, if not unprecedented, and unaccustomed to be denied, or to deny himself, any selfish gratification, His Royal Highness gave vent to a paroxysm of passion. He wept, he raved, he flung himself on the ground, he would renounce his heritage, he would fly the country. To all these demonstrations the lady was insensible. She was not obdurate; but her terms were the highest; they were no less than marriage. Yet the difficulties in the way of a legal union seemed insuperable. Mrs. Fitzherbert was a Roman Catholic; and the Act of Settlement declared, that any member of the royal family intermarrying with a Papist forfeited his succession to the Crown. But the Royal Marriage Act pronounced any marriage contracted without the consent of the reigning Sovereign, except under certain conditions, which were not applicable to this case, absolutely null and void. In this conflict of the statute laws, the Prince was advised that the marriage ceremony would be merely an idle form. The lady, on the other hand, was assured by the authorities of her religion, that, notwithstanding the law of the land, a marriage could be lawfully contracted in the face of the Church by a Roman Catholic gentlewoman with the heir of the Crown. These strange nuptials were accordingly solem-

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nized with the usual forms, though in strict privacy. The parties subsequently cohabited; but no attempt was made by the lady to assume the rank and privileges which appertained to the consort of the Prince of Wales. She retained the name of her late deceased husband, continued as before to live as became a person in a private station, and, though the questionable engagement into which she had entered—if, indeed, it could be considered questionable—was well known, Mrs. Fitzherbert never, in the estimation of the most scrupulous, appears to have compromised her position in private society. The public, however, though they respected the character of Mrs. Fitzherbert, were loud in their reprobation of the insult which the Heir-apparent had offered to the law of the land, and to the feelings of the nation.

Such was the estimation in which the Prince was held, when he thought proper to appeal to Parliament against the refusal of the King and the Ministry to make any provision either for the discharge of his liabilities, or the increase of his income. His debts at this time amounted to nearly a quarter of a million. The Opposition, though bound to support the claims of their illustrious patron, yet thought it as well, probably on his account and their own, that the proposal to burden the nation with the payment of these debts, and to furnish his Royal Highness with

the means for more profuse expenditure, should not directly emanate from Brookes's Club. Accordingly, a City Alderman was induced to move the business in the House of Commons. Pitt intimated, that if the motion was persevered with, it would be his painful duty to meet it with a direct negative, and to justify that course by the disclosure of circumstances which he would willingly conceal. Rolle, member for Devonshire, a country gentleman of great estate, significantly observed that the question was one of even greater importance than it appeared, inasmuch as it affected the constitution in Church and State. This allusion to the Prince's alleged marriage with a Papist, could not be passed over by his friends. Sheridan stood up, and affecting not to understand the language of the member for Devonshire, whom he treated with contempt, fastened upon the expressions used by Pitt, as carrying a weight and importance which did not belong to the other. The Minister could not venture to adopt the scandal which had been more than insinuated by the representative of the country gentlemen; therefore, Sheridan might safely, on the part of the Prince, challenge any enquiry into his conduct, though he ventured too far, in seeking to deter the court by threatening to proceed in a hostile spirit. Sheridan's speech drew from Pitt the desired explanation, that the unpleasant circumstances to which he had referred,

Ch. 29. 1787. were confined to the pecuniary embarrassment of the Prince, and the consequent correspondence with His Majesty; but he deprecated in his most solemn and imposing manner the agitation of a question, which could not fail to be injurious to the honor of the Royal Family and the interests of the country. Other members, and especially Powis, joined in entreating Alderman Newenham to withdraw his motion, but without success.

It was evident, indeed, that the matter could not be suffered to rest here. The discussion referred to, took place on Friday, the 27th of April. The subject was to be renewed on the following Monday. In the interim, Fox saw the Prince of Wales. Fox had not been in the House on the Friday; but as the chief political adherent and personal friend of the Prince, it was all but incumbent upon him to satisfy the public expectation, by a statement in answer to the Minister, and not less so, to notice the charge against the Prince, which a gentleman, unconnected with the Ministry, had more than insinuated from his place in Parliament. When public rumour had first assigned to the relation of the heir apparent with Mrs. Fitzherbert, a more serious character than such a connection would ordinarily import, Fox had thought it his duty to address a letter to His Royal Highness, in which he pointed out, with the authority of a Statesman and the

earnestness of a friend, the grave consequences of such a step as he was supposed to have in contemplation. The Prince had replied[8] with an assurance that the report had no foundation. A few days after this assurance was given, the marriage took place. It now became necessary that the marriage should be denied in a more formal and positive manner; and the Prince did not hesitate to deny it in the most precise, comprehensive and unequivocal terms. Whatever misgivings, from his knowledge of the Prince's character, and the notoriety of the rumour, Fox might have previously entertained, he appears now to have been satisfied. Had any doubt remained, he could not have taken the decisive course, which, on the Prince's repeated assertion, he immediately adopted. On the Monday, a crowded and excited House was assembled, in the full expectation of some extraordinary disclosures. It was known beforehand, that Rolle was to reiterate his allusion to the marriage, in terms more explicit than he had used on the former occasion; and that a contradiction was to be put forward by Fox. But the contradiction which was generally anticipated was a contradiction in law, a contradiction which would be quite compatible with the fact, that a ceremony

[8] Fox's letter and the Prince's reply are published in Lord Holland's *Memoirs*, and in Lord John Russell's *Life of Fox*, vol. ii. p. 178.

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of some sort had taken place. Alderman Newenham, having expressed his willingness to give up his motion for an address to the crown, in favour of any other form of proceeding which the Minister might consider more appropriate, and less likely to provoke opposition, directly challenged Rolle to explain what he meant by the allusions he had made on the former evening. Without waiting for Rolle's explanation, Fox rose, and declared that he was authorised to confirm the offer which Sheridan had made on the previous day, of a full disclosure of all the circumstances which had led to the embarrassments of the Prince. His Royal Highness was prepared to render to the House a general statement of his affairs, and to the King or His Ministers a particular explanation. Fox then proceeded to stigmatize the report alluded to by Rolle, as a miserable calumny, a low malicious falsehood, fit only to impose on the lowest order of persons. It was a monstrous invention of a fact, not only destitute of the slightest foundation, but absolutely impossible to have happened; and he knew not, as there was no longer a Jacobite faction, what party could be interested in fabricating and circulating, with more than ordinary assiduity, a tale intended to injure the first subject in the kingdom, and the immediate heir to the Crown.

Rolle's reply to Fox.

As this was exactly the sort of defence upon which the Tories had reckoned, Rolle was ready with his reply. He avowed that his allusion was

pointed to the statement which had been the subject of comment in every newspaper in the kingdom, and had made a deep impression on the mind of every man who valued the constitution. Mr. Fox had said, it was impossible that such an event could have taken place. It was true that it could not have taken place with the formal sanction of the law; nevertheless, the law might have been evaded, and the mere fact of a marriage under the circumstances supposed, would be productive of the most alarming consequences. Upon this Fox rejoined, that he had not denied the calumny merely with regard to the existence of certain laws; he denied it in *toto*, in fact as well as in law. The fact not only could never have happened legally, but never did happen in any way, and had, from the beginning, been a base and malicious falsehood. Rolle desired to be informed whether in what he said, Mr. Fox had spoken from *direct authority?* Fox declared that he had. After this, there was no more to be said. Rolle was silenced, but not convinced; though Sheridan and Grey insisted that he was bound to retract the insinuations which he had made, and to declare himself satisfied by the ample contradiction which the slander had received. Pitt, however, deprecated such a demand as an interference with the freedom of debate. But, though he would not allow his party to make a formal admission of their error, he could not, in decency, avoid expressing the

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satisfaction which so explicit a declaration, on such an interesting subject, must afford to the House, as well as to the gentleman who had been the means of eliciting it.

Deception practised on on Fox.

Though nobody doubted that Fox had received the distinct authority of the Prince to deny the fact of the marriage, few persons mingling in public life or in general society had any doubt that a marriage had taken place. The proofs of it, indeed, were notorious. Within four and twenty hours after he had astonished the House of Commons by his statement, Fox himself was undeceived.[h] The man who had slandered his wife, and made his friend the instrument by which he gave utterance to a deliberate falsehood, was not likely to hesitate at the only act which was wanting to complete the infamy of his conduct.

The falsehood had done its work, and was about to recoil upon the author; there was but one mode of averting such a deadly blow, and that mode was adopted by His Royal Highness. He disavowed his friend. Mr. Fox, he said, had exceeded his instructions and mistaken his meaning. The Prince, of course, dared not to say this to Fox, or to ask him to retract or qualify what he had

[h] 'On the day after Mr. Fox's declaration, a gentleman of his acquaintance went up to him at Brookes's, and said, 'I see by the papers, Mr. Fox, that you have denied the fact of the marriage of the Prince of Wales with Mrs. Fitzherbert. You have been misinformed; I was present at that marriage.''—Lord John Russell's *Life of Fox*, vol. ii. p. 186.

uttered on instructions, which, there is reason to suppose, were reduced to writing,[1] but he sent for Grey, who had taken a prominent part in defending him against the insinuations of Rolle, and sought to make one of the most high-minded members of the Whig party an accomplice in his scheme of treachery and fraud. But Grey immediately replied, that if Fox had committed an error, Fox was the proper person to rectify it, and declined to interfere in the matter. The Prince, vexed and disappointed, then said he must get Sheridan to say something; but Sheridan, though less scrupulous than Grey, was equally shrewd; and he had no intention of impeaching the veracity of Fox, to be disavowed, in his turn, when required to produce his authority. It is not Sheridan's fault, therefore, that the manner in which he acquitted himself of his commission was so absurd as to make the matter worse,—so far as it was possible to do so. When the Prince's

[1] Lord Holland's *Memoirs of the Whig Party*, vol. ii. This statement first appeared in Moore's *Life of Sheridan*, published in 1825. On that occasion, George the Fourth, according to a writer in the *Quarterly Review*, 'deliberately and distinctly declared, that there was not a word of truth in it, and that he had never had any communication with Lord Grey on the subject.' But His Majesty proved too much; for, according to the reviewer, 'he went on to deny that absurd story of his supposed marriage.' —*Quarterly Review*, vol. xciv. p. 421. Lord Grey's account of what passed is given in a note to Fox's *Correspondence*, vol. ii. p. 228. His lordship concludes his memorandum of the conversation by these words, 'He [the Prince] confessed it [the marriage] in the interview which I have mentioned.'

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affairs were again brought under the notice of the House of Commons, and four hundred members were assembled in eager expectation of some further disclosures, Sheridan's rising was the signal for more than ordinary excitement. But expectation was soon turned into disappointment and derision. Referring to the memorable allusions which had been made by Rolle on the former evening, Sheridan seized the opportunity of paying, what the parliamentary compiler terms, 'a delicate and judicious compliment' to the lady to whom those allusions were supposed to point, and proceeded to affirm that ignorance and folly alone could have persevered in attempting to detract from a character which was open to no just reproach, and was in reality entitled to the truest and most general respect. Now, whatever may be thought of the judgment which the member for Devonshire displayed in referring to a subject of such perilous import as the marriage of the Heir-apparent with a Papist, he had certainly avowed his meaning, and had exacted and obtained from Fox, as the representative of the person inculpated, a direct and positive answer. But Sheridan only paltered with the question. If there was no connection between the Prince and Mrs. Fitzherbert, the introduction of her name was irrelevant. If the intimacy did exist, it must have been of a character which could hardly entitle the conduct of the lady to be termed irreproachable, unless the statement made by Fox was

absolutely false. The House had more delicacy and humanity than the Prince or his agent, for they suffered the subject to drop without further comment. Ch. 29. — 1787

Fox felt all the indignation of a generous and manly mind at the base and selfish fraud which had been practised upon him. He was placed, indeed, in a position extremely painful and embarrassing. He had, in the opinion of unfriendly judges, stated that which he must have known to be untrue; or, at least, he had shewn a credulous facility, of which few persons, who knew the Prince of Wales as Fox knew him, would have been capable. Many of his friends thought he was bound to undeceive the House of Commons and the public, who had been made to believe a falsehood on his authority. Self-defence is said to be the first law of nature, and the vindication of honour is assuredly the first maxim of self-defence. But in this case, there were considerations which a statesman and a lover of his country would hold paramount, even to the vindication of his honour. The Bill of Rights expressly enacts, that any person who shall marry a Papist shall be excluded from, and be for ever incapable to possess or inherit the Crown and Government of this realm; and in every such case, the people of these realms shall be released from their allegiance, and the Crown shall descend to the next heir. That the Heir-apparent had contracted marriage with a Papist was a fact capable of legal proof. But a subsequent statute Indignation of Fox.

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declared, that any marriage, or matrimonial contract, by members of the royal family under the age of twenty-five years, without consent of the Crown, should be null and void. Notwithstanding this plain and positive enactment, grave doubts were entertained whether the penal provisions of the Bill of Rights did not attach. The question of the Prince's marriage under the circumstances contemplated by the Great Statute of the Revolution having been stirred in Parliament, had been happily set at rest by the solemn denial of the fact on the direct authority of the Prince himself. The revival of this question by the retractation of that denial would have been attended with most perplexing, if not perilous consequences. An Act to dissolve or nullify the pretended marriage, and an Act of Indemnity, were precautionary measures, which could neither have been safely neglected, nor safely proposed.

English dislike of Romanism.

Among a few strong prejudices which mark the character of the English people, there is one to which they have uniformly adhered with unshaken consistency. Their repugnance to the Roman Catholic communion has undergone but little modification in three hundred years. The claims of the Dissenters were favourably treated when the Church of England was in the plenitude of power and arrogance. Independents, Baptists, Quakers, and even Unitarians, have found no difficulty on account of their religion in procuring the votes of the electors. Within twelve months

after the Jews were rendered eligible, four members of the Hebrew persuasion were returned to the House of Commons. But in the thirty years which have elapsed since the Catholic Emancipation Act, no more than two or three members of the Church of Rome have been sent to Parliament by open constituencies. The repeal of the clause in the Bill of Rights, which displaced a Roman Catholic, or a person who had intermarried with a Roman Catholic, from succession to the Crown, was a proposal which no Minister would have dared to make; and it would have been hardly less difficult for a Minister to have come down to Parliament with a Bill in his hand to remove any doubts which might have arisen, whether the Heir-apparent had not incurred the penalty imposed by the wilful breach of one of the most sacred provisions of the great statute, which constituted the final charter of English liberty. It is possible, that such a Bill might pass both Houses; but it is certain, that the disclosures of a scandal so enormous, a violation so audacious of a fundamental law of the realm, would have given the principle of hereditary monarchy a shock, to which no friend of the constitution would care to expose it. Fox, therefore, held his peace; and, rather than exonerate himself at such a price, he submitted to the reproach of being accessory after the fact to a deliberate falsehood. *One* person believed that he was the inventor as well as the propagator of

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the calumny. Mrs. Fitzherbert was suffered to remain under this impression, which was first suggested by the Prince, her husband;[j] and from that day forth she never admitted the supposed slanderer into her presence. Fox himself, on his part, refused to see the Prince for a twelvemonth.[k] His resentment certainly did not last much longer; for we find him, at the close of the following year, contending for the Prince's right to the regency with unlimited power, eager to become his minister, and even speaking of him personally in the highest terms.[l] Such conduct, it must be owned, abates somewhat from the praise of magnanimity to which his behaviour on the question of the marriage seemed to entitle him. But his disposition was not implacable; his virtue was easy; the standard of morality in those days was low, and the exigencies of party were urgent. A loyal and high-minded man might have been content to save the honour of his Prince and the credit of the monarchy at the expense of his own. Such a man might even consistently remain in the service of the Prince who

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j 'He (the Prince) went up to Mrs. Fitzherbert the day after Fox had made his statement, and, taking hold of both her hands and caressing her, said, 'Only conceive, Maria, what Fox did yesterday; he went down to the House, and denied that you and I were man and wife.'"—LANGDALE'S *Memoirs of Mrs. Fitzherbert. Life of Fox.*

k *Life of Fox*, vol. ii. p. 187.

l *Correspondence of Fox.*

had wronged and betrayed him. There are injuries which leave no scar upon a generous mind after the wound has healed; but there are injuries also which no man, whose sense of honour has not been blunted, can forgive or forget. Ch. 29. 1787

The Prince of Wales was completely successful in this transaction. He betrayed both his wife and his friend, without losing the confidence of either; and, by this double treachery, he shook off a dangerous embarrassment, and obtained his immediate object, namely, money. After Fox's declaration in the House of Commons, the Minister thought it desirable to accommodate the differences which had so long subsisted between the Government and the Prince, relative to the discharge of his pecuniary liabilities. An interview took place between His Royal Highness and Mr. Dundas, on the part of the Administration. A short negotiation resulted in an engagement to add to the Prince's income ten thousand a year from the Civil List; and in a message from the Crown to the House of Commons recommending them to take into consideration the payment of the Prince's debts. Pitt named the sum of one hundred and sixty-one thousand pounds, together with twenty thousand more for the repairs of Carlton House. These sums were voted without opposition. Duplicity of the Prince.

The impeachment of Hastings, which had received such an impulse from the sudden and unexpected support of the Ministers, was resumed Impeachment of Hastings.

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this Session with increased vigour. The third charge, relating to the plunder of the Begums of Oude, was brought forward by Sheridan in a speech, which, according to the concurrent testimony of all who heard it, was one of the most dazzling displays of oratory ever exhibited within the walls of Parliament. After holding the House for nearly six hours, he sat down amidst an excitement which burst forth, not merely in prolonged cheers, but in clapping of hands, a mode of applause which is justly considered disorderly and indecent, and has never since been attempted with success. Pitt supported Sheridan's motion, which was carried by a majority of nearly three to one. The tide of public opinion was now turned against Hastings. His friends, who were neither eloquent nor judicious, could hardly obtain a hearing; and at length they almost gave up the contest in the Commons, reserving themselves for a more dispassionate and impartial tribunal. Twenty articles of impeachment were voted, and Burke was ordered to carry them up to the House of Lords: Hastings was afterwards taken into the custody of Black Rod, but was soon liberated on bail, himself in twenty thousand pounds, with two sureties of ten thousand each. No farther proceeding in the matter was taken during this Session.

Impeachment of Impey.

A motion was also made for the impeachment of Sir Elijah Impey, the late Chief Justice of India, who had been dismissed from his high office

in Lord Shelburne's administration, and whose complicity in many of the criminal transactions charged on Hastings was sufficiently evident. But the courage and promptitude with which Impey met the danger, and the advantage which a practised lawyer possessed over unskilled opponents, enabled him to crush the prosecution in the bud. Many persons, persuaded of the guilt both of the Governor and the Judge, thought the latter the worse of the two; inasmuch as tyranny and oppression perpetrated under the forms and with the sanction of law are more terrible than the undisguised violence of arbitrary power. One writer, far removed from contemporary passion and prejudice, the latest and greatest authority on this period of Indian history, has not hesitated to declare, that 'no other such judge has dishonoured the English ermine since Jeffries.'[m] That the Chief Justice stretched the law in support of the Governor and his policy, there can be little doubt. That he accepted a stipend from the Governor, partly in consideration of this service, is also probable; but it must not be forgotten, that this bribe, as it has been termed, was ostensibly accepted in compensation for claims to which Impey had certainly some pretensions, but which derogated from the power hitherto exercised by the Governor and his council. The trial and condemnation of Nuncomar for forgery were

[m] MACAULAY'S *Essay on Warren Hastings.*

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in accordance with the law of England, which obtained at Calcutta no less than in London, and though the extreme penalty should not have been enforced in the case of an offence which was very different in India to what it was in England, it does not follow, because the execution of the Brahmin was useful to Hastings, that 'Impey, sitting as a judge, put a man unjustly to death in order to serve a political purpose.'[n] To compare such a judge, culpable as he was, with Jeffries, who perpetrated a series of judicial murders, with a ferocity which the French revolutionary tribunal of the Reign of Terror did not equal, is surely an exaggeration. Impey produced testimonials in his favour from some of the first lawyers in the country; and though testimonials are of little value in proof of positive merit, it is not to be supposed that such men as Blackstone, Dunning, and De Grey would write complimentary letters to a man who had disgraced the robe of justice. The House of Commons were of that opinion; they discriminated between the case of Impey and the case of Hastings; and acting as a grand inquest, they found that there was not sufficient to put Impey on his trial.

The Trial of Hastings commenced on the 13th of February, in the following year. Westminster Hall was fitted up for the great state pageant; and amidst the crowd, which completely filled

[n] MACAULAY.

the area of that vast chamber and the galleries erected round it, was included almost every person of distinction then in England. The Queen and the three elder Princesses were present. The Ambassadors' box was filled with the representatives of the European powers. A gallery was appropriated to persons of eminence, not members of either House of Parliament. Female beauty added largely to the grace and lustre of the scene. When the splendid assembly was collected, a door was thrown open, and the heralds appeared marshalling the Peers of the Realm to their places. Foremost of this illustrious body appeared, according to usage, the Junior Baron, England's latest hero, Elliot, Lord Heathfield of Gibraltar, and the long line was closed with the greatest, if not the most ancient, representative of the Feudal Peerage, the hereditary Earl Marshal of England, Charles Howard, Duke of Norfolk. The grand procession terminated with the Princes of the blood. The Lord Chancellor, as President of this High Court of Parliament, took his seat on a throne. Opposite to him, on one side was the manager's box, and on the other, the space assigned to the prisoner and his counsel.

Opening of proceedings against Hastings.

The proceedings were opened by the Chancellor, whose voice and mien were peculiarly adapted to the imposing duty which he had to perform. The prisoner was ordered to fall upon his knees, while he was formally put upon his trial.

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The formal preliminary proceedings occupied two days. Burke then opened the first charge, in a speech which was continued for four days. Nearly the first half of this great oration, consisted of a rapid but brilliant review of the History of British India, up to the period of Hastings' administration. The inculpatory part of the harangue was prefaced with a discourse on arbitrary power, in which the orator strove to persuade his hearers by references to the Koran, the institutes of Tamerlane, the Gentoo Law, and other authorities, that the people of the East had been accustomed to good Government, and that they had had no experience of despotic power, until it was introduced by the English Governor. The third day's speech was filled with loose and general charges of bribery and peculation; but the greatest impression was made upon the audience by horrible details of the atrocities perpetrated by Deby Sing, one of the native lieutenants appointed by Hastings, to administer the affairs of certain provinces distant from the central seat of Government. No attempt was made to connect Hastings with this abuse of power; on the contrary, it appeared that when intelligence was received at Calcutta, of disturbances in the provinces ruled by Deby Sing, an English Commissioner was sent by the Council, with the concurrence of Hastings, to make full enquiry on the spot; and, on the report of this Commissioner, Deby Sing was summoned to Calcutta to answer

for his conduct. The enquiry was protracted; and all that can be gathered from this transaction, as detailed by Burke, was that the House of Lords was bound to find Hastings guilty of a high crime and misdemeanor, because the Council at Calcutta, in which he had only a single voice, thought fit to hear Deby Sing in his defence, and to hesitate before they implicitly adopted every statement which the British Commissioner, in a report filling three volumes, had adopted, on evidence tainted with Oriental perjury and exaggeration. The manager concluded his speech with a summary of the charges:—1. The abolition, for private purposes, of the six Provincial Councils. 2. The illegal delegation of power. 3. The establishment of a Committee of instruments and tools. 4. The appointment of an infamous person to exercise the power of which the Provincial Councils had been deprived. 5. Taking bribes from Gunga Govind Sing. 6. Neglecting the services for which he had been bribed. 7. Robbing the people of whom he took bribes. 8. Fraudulently alienating the fortunes of widows. 9. Appointment of Deby Sing as guardian of the minor Raja. 10. Appointment of Deby Sing as manager of three provinces, and with having *thereby* wasted the country, destroyed the landed interest, cruelly harassed the peasants, burnt their houses, seized their crops, tortured and degraded their persons,

Ch. 29. and destroyed the honor of the whole female race of that country.

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Nature of state impeachments.

It is not necessary, nor even practicable that the articles of a State impeachment should be framed with the rigorous precision of a bill of indictment; but justice requires that a distinct and substantive charge should be made before the accused person is put to his answer. Of the ten charges which Burke thus strung together, the fifth only fulfilled this condition. The first and second might be reduced to a tangible form. The third and fourth were too general. The sixth was assuredly the strangest accusation ever brought against a delinquent, in a Court of Justice. It distinctly charged the prisoner with having broken an iniquitous contract; and for this he was to be held responsible to the supreme justice of the nation. The seventh was of a similar character. The eighth and ninth were mere loose scandal. The tenth enunciated the extraordinary doctrine, that a ruler was to be held personally responsible for every abuse of power of which his lieutenant might be guilty.

After Burke had concluded his opening speech, a proposal was made on the part of the managers, that the charges should be heard and disposed of separately. A proceeding more at variance with the course of justice, more unfair and oppressive to the accused, could hardly have been devised. The counsel for Hastings, of whom

Law, afterwards the Chief Justice Ellenborough, was the leader, forcibly urged the hardship of subjecting a prisoner to a series of trials, for the purpose of establishing what must result in a single charge. Loughborough, to his shame as a lawyer, taking a party view of the trial, vindicated this course of proceeding; but the Chancellor exposed the scandalous injustice of the proposal, in such strong and pointed terms, that it was rejected by a large majority. Thurlow also referred, in language of just severity, to the violent and extravagant style in which Burke had opened the prosecution. He said, that as the manager had disclaimed any intention to exaggerate the crimes of the accused, he should be held to strict proof of the allegations he had made. If the crimes charged upon the prisoner were proved, no punishment which the House could inflict would be adequate to his guilt; but this was an additional reason why care should be taken that the prisoner was not harassed by an unusual mode of proceeding. The decision of the House disconcerted the plans of the prosecution, rendering it intolerably tedious, confused and impracticable. After a short interval, Fox proceeded to open the Benares charge. The evidence upon this article of the impeachment having been concluded, the trial was adjourned for a month, during the absence of the Judges upon their circuits. The Begum charge followed, and afforded the occasion for another

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The Benares charge.

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great display of oratory by Sheridan. Indeed, if it had not been for these repeated exhibitions of the highest powers of eloquence, it is difficult to understand how the great delinquent who stood at the bar, could have escaped conviction on some of the charges preferred against him. The acceptance of a bribe from Cheyte Sing, and the torture of the Begums for the purpose of extortion, were charges clearly established; but the public mind was so excited by the amazing feats of oratory exhibited in Westminster Hall, that the dry details of evidence were little regarded, and the whole proceeding came to be looked upon as a display of intellectual feats, rather than a grave judicial enquiry.

Prosecution of Stockdale.

The Hall was crowded in every part during the delivery of these speeches; but few remained to hear the proof; and the managers were left to squabble with the counsel for the prisoner, day after day, on points of evidence, in the presence of some dozen Lords, a score of members of the Lower House and a hundred or so of listless spectators. As the trial proceeded, the real state of public opinion on the subject began to be manifested. Stockdale, the publisher, was prosecuted by order of the House of Commons for a libel, consisting of a pamphlet by a respectable clergyman, named Logan, in which the impeachment and its authors were censured with much severity. Stockdale was defended by Erskine; and his trial, which took place at the end of the year, resulted in an

acquittal. The House itself, before the trial had proceeded many weeks, entertained a motion, in spite of the earnest opposition of the managers, for an account of the expenses, and plainly shewed a disapprobation of the mode in which the prosecution was conducted, if not of the prosecution itself. In the following Session, the House passed a vote of censure on Burke for having asserted in his speech, on opening the sixth charge, that Hastings had 'murdered Nuncomar by the hands of Sir Elijah Impey.' The Lords subsequently pronounced a decision which had the effect of excluding altogether that serious part of the impeachment which related to the case of Nuncomar. Another great blow was afterwards given to the impeachment, by the refusal of the Court to admit evidence as to the cruelties alleged to have been perpetrated by Deby Sing, the narrative of which by Burke had produced so deep an impression on his audience. And, finally, Burke himself, after the trial had lasted three years, proposed to abandon sixteen of the charges. Thus, the trial dragged on with little or no other result than brilliant displays of eloquence by the most accomplished rhetoricians of the age.[o]

[o] The speeches on the trial of Hastings are in course of publication verbatim, from the MSS. in the British Museum, under the authority of the Treasury.

CHAPTER XXX.

THE SLAVE TRADE—KING'S ILLNESS—DEBATES ON THE REGENCY—CLAIMS OF THE HEIR-APPARENT—RECOVERY OF THE KING—CONDUCT OF THE PRINCES—FIRMNESS AND PRUDENCE OF PITT—PITT'S COLLEAGUES—PROCEEDINGS IN IRELAND—THURLOW—DIVISIONS IN THE ROYAL FAMILY—WILBERFORCE—STAMPS ON NEWSPAPERS—ADDINGTON CHOSEN SPEAKER.

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The Slave Trade.

THE Session of 1788 is rendered memorable by the agitation in Parliament of a question, which, though it never partook of a party character, for many years excited a greater amount of public interest than any matter of political importance which was discussed during the same period. The practice of kidnapping and importing Negroes from Africa to the continent and islands of America, had been, from time to time, represented by writers of every description, not merely as an outrage on humanity, but as one commonly attended with circumstances of particular cruelty and oppression. It was said that men, women and children—creatures bearing at least the form of human nature—had been torn from their homes, thrust into floating dungeons more horrible than any which the imagination of

romancers had painted, frequently tortured, sometimes wantonly slaughtered, and habitually subjected to treatment more grievous than is endured by the lowest order of the creation. Such tales, sometimes put forward as facts, sometimes presented in the form of fiction, appealed at once to every feeling and principle by which the minds of the people of this country are wont to be influenced. Religion was scandalized by the impious presumption of man in asserting the right of property in his fellow-creature; morality was outraged by the same idea; the free spirit of Englishmen revolted against slavery; and the common feelings of humanity were shocked by the systematic cruelty with which this odious traffic was conducted. At length, some zealous persons formed themselves into an association, with the ulterior object of abolishing slavery altogether throughout the British dominions, and with the immediate purpose of mitigating its evils. Granville Sharp, Clarkson, Macaulay, and Wilberforce, are names which will be ever mentioned with honor, in connection with this effort on behalf of Christian philanthropy. The abolition of the trade in slaves was, therefore, demanded in the first instance. Many persons were far from being convinced that the condition of slavery was indefensible on grounds of religion or morality, and were still less prepared for a hasty measure of emancipation, which must seriously injure, if not ruin, some of our most valuable

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colonies; but there was nothing in holy writ, nor even in the history of heathen times, which could be appealed to in justification of the traffic in flesh and blood; evidence collected by enthusiasts in support of their cause, is accepted with reserve by sober reason; but exaggeration itself was baffled in depicting the horrors of the Middle Passage. Transports were built especially for this service; and the principle upon which these vessels were constructed was, such an economy of space as was consistent with the possibility of keeping the cargo alive, during a voyage of average duration. Many of the negroes perished, nevertheless, during the passage. The sickliest were thrown overboard. If the voyage was protracted, or the weather was unfavorable, the cargo was lightened without scruple; a few negroes, more or less, were of little account in a trade which yielded unusually large profits. It is not to be supposed, that merchants of the highest class engaged largely in ventures of this description; but it is certain they were not confined to traders of doubtful character or desperate fortune. Many houses of good commercial credit chartered vessels for the slave trade, and if any doubt could exist, as to the mode in which the trade was ordinarily conducted, there is not wanting precise proof of the fact. The statements made by pamphleteers, and by persons tendering themselves for examination before Parliamentary Committees, may be taken with allowance; but

the evidence given in a Court of Justice, by witnesses interested in shewing that they took sufficient care of the property committed to their charge, is in the nature of an admission. In 1783, an action on a policy of insurance on the value of certain slaves, was tried in the Court of King's Bench. The question was, whether the loss of the slaves had been caused 'by perils of the sea,' against which the defendant had insured. The facts as they appeared on the trial were these: The ship 'Zong,' with four hundred and forty-two slaves, was bound from the Coast of Guinea to Jamaica. It was incidentally proved, that sixty of the slaves died during the passage from over-crowding; but in respect of these, it was not contended that the underwriter was liable. The master having, by some accident or miscalculation, missed Jamaica, found himself short of water, and under the apprehension of scarcity, but before the crew and cargo had been put on short allowance, he threw ninety-six of the sickliest slaves overboard. On the second day after he had thus lightened his cargo, there was a fall of rain, which gave him a supply of water for eleven days. Nevertheless, he subsequently drowned twenty-six more of the slaves. Ten wretched creatures threw themselves into the sea. The ship arrived at her port of discharge, before the water was exhausted. Thus one hundred and thirty-two human beings — if negroes

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are human beings — were wilfully murdered. But a City Jury were of opinion, that they were chattels lost by perils of the seas, and found for the plaintiff, with thirty pounds damages for each slave cast overboard. The Court granted a new trial, on the ground that it did not sufficiently appear that there was any such necessity for destroying the second batch of twenty-six slaves, as could be said to constitute a loss by perils of the seas; but it seems never to have occurred to the Judge at Nisi Prius, nor the Court in Banco, to order criminal proceedings against the captain and the crew, for their wholesale homicides.[a]

Wilberforce.

It had been proposed, that Wilberforce, who was rising to Parliamentary eminence, and was supposed to have the ear of Pitt, should bring this vital question before the House of Commons; but Wilberforce was languishing at Bath, under a disease which his physicians had pronounced mortal; and Pitt, in the absence of his friend, introduced the subject with a formal motion, that the slave trade should be taken into consideration early in the following Session, when, if Mr. Wilberforce should continue incapacitated to conduct the enquiry, he would himself undertake it. The Minister, however, refrained from committing himself to any decided opinion on

[a] Gregson and others *v.* Gilbert. — DOUGLAS's *Reports*, and PARK *on Marine Insurances*, eighth edition, vol. i. p. 138.

the subject. Fox, on the other side, free from official responsibility, declared at once for the total prohibition of the trade. Pitt's motion was agreed to without division.

Examination of delegates.

Pending the more solemn enquiry to which the House was thus pledged, a Bill was brought in by Sir William Dolben for regulating the conveyance of slaves from Africa. But even this modified measure was not allowed to pass without opposition from those who were interested in the abominable traffic. The merchants of London and Liverpool prayed to be heard by counsel; and their prayer, according to the practice of Parliament at that time, was granted almost as of course. A partial investigation had already taken place, by order of the Government, before a Committee of the Privy Council. Delegates from the parties interested in the slave trade had appeared before this Committee, and asserted with confidence that the charges brought against the trade were either absolutely false, or gross distortions of the truth; that so far from instigating wars among the savage Chiefs of Africa, for the purpose of procuring slaves, they were the benefactors of the negro race, by rescuing them from the cruelty and oppression of their native rulers; that the transport of these creatures across the seas was effected with every consideration for their health and comfort; that they danced and made merry on deck; and that the mortality did not exceed an average of five or six per cent.

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These representations were not unfavorably received by the Privy Council; a body of men, who from their education and habits would be inclined to regard with incredulity, if not aversion, the tales which were adapted to, and were eagerly devoured by, the unthinking multitude. The weight of unimpeachable testimony, however, with which the impudent assertions of the slave dealers was met, overbore the prejudices of the Committee; and though they abstained from making a decisive report, the inclination of their opinion was evidently to the side of reason and humanity.

Whitbread.

The slave dealers, therefore, when they went before the House of Commons with the same tale by which they had sought to amuse the Privy Council, met with a very different reception. Whitbread, the Chairman of the Commons' Committee, to which Dolben's Bill was referred, cross-examined the witnesses sent to support their case by the merchants of London and Liverpool with the zeal indeed of a partisan, but with the skill and ability also of a man of business, well informed in the details and true character of the trade which was the subject of inquiry. It was proved from the mouths of these delegates, that the ample accommodation provided in the slave ships was a space of five feet and a half by one foot and four inches for each man; that the space between decks varied from four to five feet eight inches; that this space was fitted with shelves,

upon which living bodies were packed in the same manner as upon deck; that they were chained together by their hands and feet, and secured by ring-bolts to the decks and shelves; that the daily allowance of each man was a pint of water and two feeds of horse-beans; that the miserable captives were confined between decks all the time that the ship remained on the coast, which varied from six weeks to as many months; that they remained below for sixteen hours a day; that they were compelled to exercise themselves by jumping about in their irons under the application of the lash; and this was what the witnesses for the slave dealers represented as dancing. All these facts were clearly established. Nevertheless, so difficult is it to disturb established usages, especially when any interest is involved in them, that a Bill, which contained only a few simple provisions of a sanatory character, was criticised with as much jealousy as if it was a wanton interference with vested interests, and a mischievous obstruction to the freedom of commerce; nor would the Lords consent to pass it without clauses of compensation to the shipowners and merchants for the additional charges to which they would be subjected by the intended regulations.

The King's health.

Parliament was prorogued on the 11th of July. In the previous month, the King's health had become seriously deranged; and, by the advice of his physicians, he relaxed his ordinary application to public business, and, after the prorogation,

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sought relief for his malady, which was a disorder of the biliary system, by drinking the Cheltenham waters. The novelty of the scene—for so simple were his habits, that on no former occasion since his accession had the King been at so great a distance from his capital—at first had a beneficial effect. The comparative retirement, the beauty of the country, and the respectful demonstrations of sympathy and attachment to his person, which he found among all ranks of the people, could not but be agreeable to a mind susceptible of such impressions. No permanent benefit, however, resulted from this visit; and after a few weeks, the King returned to London, his malady increased, and the symptoms were alarming. The aberrations of his intellect, which had been disordered from the commencement of his illness, became more frequent and palpable. In October, he was worse, and early in November it was known that His Majesty had ceased to be capable of transacting business, and that his life was in imminent danger.

Prorogation of Parliament.

Parliament was prorogued to the 20th of November; and, though it had not been intended to proceed to despatch of business until after Christmas, yet the exigency which had arisen, as well as the absence of any power to extend the prorogation, rendered it necessary that the Houses should assemble on the prorogation-day.

Public excitement.

The greatest excitement prevailed. A demise of the Crown was immediately expected; and even

should the King's life be spared, a regency was inevitable, since it was understood that the physicians had pronounced his insanity hopeless. The Prince of Wales had taken up his abode at Windsor, and assumed the control of the King's person. The Opposition were assured of an immediate return to power under the new reign, whether that of King or Regent. Fox, who was travelling on the Continent, had been sent for, and arrived, in post haste, four days after the meeting of Parliament. Pitt and Dundas were making arrangements for their return to the bar. But though the meeting of Parliament on the prorogation-day was inevitable, it was impossible to proceed forthwith to the despatch of business. Formal proof of the King's incapacity was requisite before the ordinary mode of inaugurating the business of the Session could be dispensed with; and respect for His Majesty dictated the propriety of a short adjournment. Accordingly, an adjournment for a fortnight was proposed by Ministers in both Houses, and agreed to without observation; and the Commons ordered a call of the House. On the 4th of December, when Parliament reassembled, it was determined by both Houses to appoint select committees to examine the King's physicians. The Commons Committee reported on the 10th of December the examinations of the medical witnesses, who declared the King to be incapable of meeting Parliament, or attending to public business; but

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expressed, at the same time, a confident hope of His Majesty's recovery. The Minister, therefore, in a short and guarded speech, moved, 'That a Committee be appointed to examine and report precedents of such proceedings as may have been had in case of the personal exercise of the royal authority being prevented or interrupted by infancy, sickness, infirmity, or otherwise, with a view to provide for the same.' After this motion, a brief but most important debate took place. When Pitt sat down, Fox immediately rose. He said the motion could result in nothing but a loss of time, since no precedent could be found bearing upon the case. The circumstances to be provided for did not depend upon their deliberations as a House of Parliament. There was then a person in the kingdom, different from any other person, that precedents could refer to;—an Heir-apparent of full age and capacity to exercise the royal power. In his opinion, the Prince of Wales had as clear, as express a *right* to assume the reins of Government, and exercise the power of sovereignty, during the continuance of the illness and incapacity with which it had pleased God to afflict His Majesty, as in the case of His Majesty's having undergone a natural and perfect demise. Fox went on to say, that if His Royal Highness did not at once assume his rightful functions, it was from respect to those principles which had placed his family on the throne, and which taught him to seek the sanction of Parliament to his

claim. But this deference had its limits; and it was not reasonable that he should be expected to wait during a pretended search for precedents which did not exist. Fox, however, did not oppose the motion, as he should have done if he had felt any confidence in the position which he asserted. Ch. 30. 1788

Pitt's denunciation of Fox's proposal.

Pitt was prompt in availing himself of the advantage which his great rival, now apparently on the eve of triumph, had afforded him. With an air of authority which defied question, he stood up, and in the most emphatic language denounced the doctrine of the Whig leader as utterly at variance with the laws and history of the country, and little less than treason to the Constitution. He met the claim of right preferred on behalf of the Heir-apparent with a positive contradiction, and denied that under the circumstances the Prince of Wales had any more right to assume the Government than any other person in the kingdom. Whatever may have been the pretensions of His Royal Highness, it was the province of Parliament, and of Parliament alone, to make provision for the government of the country, whenever any interruption of the royal authority took place. He said that the doctrine of Mr. Fox was incompatible with the rights of the Legislature, and went to deprive it of any deliberative power under the circumstances which had arisen. This was an argument of the gravest weight for the enquiry which he proposed, since it was of the utmost moment in such an exigency that the rights

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of Parliament should be ascertained as well for their own guidance as for the information of the country.

Imprudence of Fox.

To those who understood the question in its constitutional bearing, the argument of Pitt was irresistible; to those who were little versed in such matters—the great majority of his audience—the reckless assertion of Fox seemed an indecent and impatient attempt to grasp at power, worthy of the hero of the Coalition, and the author of the India Bill. Fox himself saw that he had gone too far; but his attempt at retreat was as bungling as his advance had been rash. I admit, he said in effect, that *Parliament* would have a right to deal with the question, or to alter the succession to the throne, or to change the laws and constitution of the kingdom; but I deny that we are a Parliament. But neither was the body which abolished the Commonwealth and restored the Monarchy; nor that which declared the throne to be vacant, and filled it with two persons, one of whom had no right whatever, and another whose right was secondary and contingent. It made no difference, so far as the argument was affected, whether the throne was vacant from any cause, or whether, as in the present case, the functions of the Sovereign were suspended by the act of God. Fox's explanation of the law which he had deliberately laid down was at variance with the most conspicuous precedents in our history, and impeached the validity of acts

upon which the rights and liberties of the country were for the most part founded. If any ordinary member of the House had propounded such notions as these, he would have been laughed at for his ignorance and presumption. If a Tory, he would have been told that he had been educated in the school of Filmer and Sacheverell. But these were the words, not of an empty prater, not of a pre-revolutionary Tory, but of a great statesman, the chief of the party of 1688. And it is to be observed, that this strange doctrine was founded on another position, which, to say the least, was extremely questionable, namely, that Parliament was disabled by the incapacity of the Crown. But the point was more a theoretical than a practical one. If the integrity of Parliament was destroyed, it still subsisted as a Convention; and in that capacity, it could deal with this, as it had dealt with still weightier exigencies. Fox objected to the motion for a committee to search for precedents (in accordance with the practice in extraordinary emergencies) because no precedent existed. But if no precedent existed, it was surely more in accordance with the law and constitution of England that a precedent should be created by Parliament, or by the Lords and Commons, if they were not to be called a Parliament, rather than by an authority unknown to the constitution, and which had never been heard of in the history of this country.

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Only one person could be found to support Fox

Burke's attack on Pitt.

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on this occasion; and that was a person for whom anything extravagant and offensive had a fatal charm. Burke stood forward, not indeed to contend for the doctrine of right in such absolute and unqualified terms as Fox had employed, for he knew that these were untenable. He rather took the turn of vindicating the Prince's pretensions as a question of comparison; and, if he had done so with judgment and temper, he would have obtained the concurrence of all reasonable men. It was so manifestly just and convenient that the Heir-apparent should, in the absence or disability of the Sovereign, exercise his power, that nothing less than such a personal disqualification as would justify postponing him in the succession, would justify a preference of any other regent. But, instead of pointing out this distinction, Burke, after his fashion, must needs provoke the derision of the House, by taking Pitt to task for not arguing the question with temper and moderation, and for setting himself up as a competitor with the Prince! Irritated by the cries of 'Order,' and the expressions of disapprobation with which this indecent and unwarranted remark was received, Burke reiterated the charge, and went off in a storm of wild declamation on the preposterous idea which he had taken up. A few contemptuous words from Pitt closed this singular debate, which certainly was not calculated to reconcile the country to a change of counsels in the administration of public affairs.

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Two days after, the debate was renewed on bringing up the report of the Committee to search for precedents. Fox, having been by that time convinced of the grievous error into which he had fallen, took occasion to explain away much of what he had said on the question of right, and to deny what he could not explain away. Lord Camden had in the meantime declared, in his place in Parliament, that there was nothing in the Common Law to warrant the doctrine which Fox had set up; that no lawyer ever mooted such a doctrine; that he had never met with it in any writer; and he censured, with due severity, the rashness which had given utterance to a notion so novel and dangerous. Fox now declared, that the claim which he had preferred on behalf of the Prince went no farther than a naked right, and that he never intended to maintain that this right could be reduced into possession without the consent of Parliament. Neither did he say, that the Prince was entitled to assume power while Parliament was sitting. He was content to adopt a statement of the point, with which many persons were satisfied; namely, that the Prince had such a claim as Parliament could not disallow without a dereliction of its duty. He could see no distinction between such an irresistible claim and an inherent right. But whatever doubt might exist as to the Prince's right to exercise royal authority under the present circumstances of the country, Fox still maintained there could be

Fox's attempt at explanation.

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none as to the propriety of investing him with the sole administration of the Government, and with the unlimited exercise of all the royal functions, powers and prerogatives. And he declared, that, much as he valued unanimity upon such a point, yet he would take the sense of the House if any proposal should be made to place any material restrictions on His Royal Highness's power as regent.

Blunder of Fox.

The explanation which Fox offered was not, as Pitt took care to point out, quite consistent with the language which he had formerly used with regard to the Prince's forbearance to *assert his claim*, and, indeed, savoured more of the astuteness of the shifting lawyer[b] who was supposed to have led him into this error, than of the ingenuousness which distinguished the Whig leader. A more gratuitous blunder never was committed by a public man. The pretensions of the Heir-apparent to exercise the powers of the Sovereign during his incapacity were so obvious and so paramount, that any attempt to pass them by would certainly have recoiled upon any Minister, however powerful. Fox had no right to assume that these pretensions would not be respected; nor did it belong to him, invested with no official responsibility, to propose, in the first instance, a candidate for the first office in the State. Such a precipitate proposal seemed rather to suggest

[b] Lord Loughborough.—See Fox's *Correspondence*, vol. ii.

the possibility of competition, than to consult the dignity of the exalted personage referred to. Whether the unconstitutional character of the claim is considered, or the indecent haste with which it was preferred, or the quarter from which it came, or the plain motive[c] by which the whole proceeding was actuated, a more unlucky mode of inaugurating the return of the Whigs to power could hardly have been conceived.

Real question to be considered.

The real question was not whether the Prince should be regent—for on that point there could be no doubt—but whether he should be regent on the terms demanded by Fox, or with restrictions. If the claim of right could have been established, this question of course could not have arisen; and it was this consideration which gave rise to the doctrine propounded by Loughborough and Fox. Pitt, whose firmness, consistency and clearness of purpose, shone conspicuously throughout this trying period, and the more so from being contrasted with the intemperance and indecent eagerness of the Opposition, in answer to Fox, stated, without hesitation or reserve, his views on the subject of the regency. He said that, as a matter of discretion, and on

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[c] Fox, writing to a friend on the 15th of December, says, 'I think it certain that in about a fortnight we shall come in.'—*Correspondence*, vol. ii. p. 299. The Ministers calculated on being dismissed immediately on the passing of the Regency Bill.—*Courts and Cabinets of George the Third*, vol. ii. p. 41.

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the ground of expediency, it was highly desirable, that whatever part of the regal power it was necessary should be exercised at all should be vested in a single person, and that person the Prince of Wales; and that he should exercise that portion of authority unfettered by any permanent council, and with the free choice of his political servants. The Minister added, that whatever powers were necessary for carrying on the public business with vigour and despatch, and for providing for the safety and interests of the country, ought to be given; but, on the other hand, any powers not necessary for these purposes, and capable of being by possibility employed in any way which might tend to embarrass the exercise of the King's lawful authority when resumed, ought to be withheld. Fox made a conciliatory reply, and the matter might have passed away but for the interposition of Sheridan, who, at the close of the debate, concentrated in a few words, and exaggerated all that was offensive in the several speeches of Fox and Burke on this painful subject. In the course of a violent declamation against the resolution which Pitt had intimated his intention of proposing at a future day to negative the claim of right as regarded the regency, Sheridan, in a menacing tone, warned the Minister to beware of provoking *the Prince to assert his right.* Loud and indignant shouts of 'Hear! hear!' burst from the Ministerial side of

the House; and such an excitement prevailed as had not for many years been experienced within those walls.[d] The severity with which this audacious language was rebuked by Pitt, and his solemn exhortation to the House to do their duty in spite of threats from any authority, however high, were hardly wanting to complete the confusion with which the Opposition were in danger of being overwhelmed.

Pitt's resolutions.

On the 16th, the House met to discuss the resolutions intended to be proposed by the Ministry as the basis of the Bill or legislative measure by which the Regency was to be constituted. The House being resolved into a committee to consider the state of the nation, Mr. Pitt moved three resolutions, the first, declaratory of the King's disability; the second, affirmatory of the right and duty of both Houses to provide for the exercise of the royal authority; the third being a corollary from the other two. The second and material resolution offered so direct a challenge to the new doctrine of indefeasible right, that the Opposition, after the length they had gone, could not evade it. They did not think it prudent, however, to meet the propositions by a direct negative; but resorted to one of those evasive amendments by which the main question is dis-

[d] Grenville to Lord Rockingham.—*Courts and Cabinets* vol. ii. p. 56.

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posed of without being decided. The ordinary mode of effecting this object is by moving what is called the previous question; which is, in fact, what it imports, a preliminary question whether the main question shall be put. But as this particular mode of proceeding cannot, by the forms of the House, be adopted in Committee, a course somewhat analogous was adopted, by the motion that the Chairman report progress, the effect of which, would have been substantially, though not technically, the defeat of the proposition. This motion was made by Lord North in a speech which, like almost all the speeches of that most able man, shewed that it was possible to be argumentative and forcible, without being violent and abusive. The Opposition entertained a sanguine hope that they would carry this motion. It was not necessary that the right of Parliament to provide for the exigency which had arisen should be affirmatively stated; and it was calculated that many would be unwilling to vote for a theory, the assertion of which was ungracious and offensive to the personage whose claims were practically admitted to be beyond dispute, and who would probably continue to exercise sovereign power until his vicarious authority merged in hereditary right. But the same persons who felt the weight of these considerations were equally unwilling to be parties to a doctrine which was not only unconstitutional, but seemed to require that they should transfer

their allegiance from a living monarch, who might be in a condition any day to resume his authority, to a prince whose tenure of power must necessarily be precarious. The time-servers, who were afraid of offending the son by adhering to the father, or of offending the father by going over to the son, it was thought, would seek refuge from their dilemma in Lord North's proposition. But the waverers of every description were scared by the tone and language of the Opposition leader and proximate minister of the Regency. Fox's native vehemence overbore his newly adopted discretion; and he supported the evasive motion of his coadjutor by an argument which reiterated in all its breadth the obnoxious dogma of positive right which he had modified, if not abandoned, the previous day. Not satisfied with this, he concluded one of his most powerful speeches with an invective against Pitt, who, he said, would have proposed no limitation on the power of the Regent, unless he had been certain that there would be a change of ministry. Pitt immediately retorted by pronouncing the attack made upon him unfounded, arrogant and presumptuous. An observation of Fox, that his rival, conscious of not having deserved the favour of the Prince, was envious of his successors, and desirous to obstruct their credit, drew down upon his royal patron, as well as himself, a severe but merited rebuke. As to my being conscious, said Pitt, that I do not

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Effect of Pitt's speech.

deserve the favour of the Prince, I can only say that I know but one way in which I, or any man, could deserve it, by having uniformly endeavoured in a public situation to do my duty to the King, his father, and to the country at large. If, in thus endeavouring to deserve the confidence of the Prince, it should appear that I, in fact, have lost it, however painful and mortifying that circumstance may be to me, and from whatever cause it may proceed, I may indeed regret it, but I will boldly say it is impossible I should ever repent it. The whole speech is described as one of his happiest efforts, and it produced an impression such as had seldom been witnessed since the days of his father. It had a sensible effect on the division. Lord North's amendment was negatived by a majority of sixty-four, a surprising result, considering that a change of Ministry and a new order of things were generally believed to be inevitable and imminent; and considering, also, that means were used without scruple to secure a different result. The Duke of York, a weak young prince, entirely devoted to his brother's interests, was brought down to the House of Lords, in which he had lately taken his seat, to deprecate the sense of Parliament being taken on the question of right. The Prince of Wales himself wrote to Lord Lonsdale, requesting, as a personal favour, that his nominees might be instructed to vote against the ministerial resolutions

—a request which was dutifully obeyed.[e] A canvas was actively prosecuted among members of both Houses and their connections. People were emphatically assured that the reign of George the Third was virtually at an end, and those who sought preferment received friendly warnings to consider the present crisis as the turning point of their fortunes. These representations were not without their effect, and the division lists shewed numerous deserters from the Court. But the debate and the majority for Ministers on the 16th of December put a stop to the panic. Many of those who had committed themselves became alarmed, the waverers fell back into the ranks; and the day after the division, Pitt's position was commanding as ever.

Speeches of the Royal Dukes.

The day before the debate in the Commons, a discussion on the question of the Regency had taken place in the House of Lords. On this occasion, the Duke of York made the speech to which reference has been made. The Duke of Gloucester, the King's brother, spoke in the same sense, though he had no connection with the Prince's party. These demonstrations could not fail to have their weight; and it was fully thought they would prove decisive of the questions in the Commons on the following evening. The Duke

[e] Lord Grenville to Lord Rockingham.—*Courts and Cabinets*, vol. ii. p. 64.

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Thurlow's conduct.

of York was the avowed mouthpiece of his brother;[f] and the Duke of Gloucester was supposed to represent the sentiments of the Royal Family. On the other side, the Chancellor made a speech which produced a great impression. On the first alarm of the King's illness, this man, who affected on all occasions a rough uncourtly bluntness, excelled the most vigilant courtier in his prompitude to cultivate the favour of the Prince and the Whigs. When the character of the King's malady was declared by the physicians, the Chancellor made haste to negotiate with Sheridan and the other confidential advisers of the Prince, the terms on which he would support the pretensions of His Royal Highness to the Regency; and it is stated as a fact, that this negotiation was concluded in a room at Windsor, at the very time when a Cabinet Council was being held in another part of the Palace to deliberate on the grave and anxious questions to which the unforeseen interruption of the royal authority had given rise.[g] The agreement was, that, in the event of a regency, Thurlow should continue to hold the Great Seal, in consideration

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[f] Prince's Memorial to the King (drawn up by Sir Gilbert Elliott).—Fox's *Correspondence*, vol. ii. p. 300.

[g] Lord John Russell's *Life of Fox*, vol. ii.—Lord Campbell's *Lives of the Chancellors*.—*Locker* MSS.—Lord Grenville, also, in his letters, repeatedly alludes to Thurlow's intrigues with the Prince's party.—*Courts and Cabinets*, vol. ii.

of his support to the Prince's party; and this compact Fox, on his return from the Continent, was reluctantly compelled to ratify.[h]

Hopes of the King's recovery.

But in a few days the prospect of affairs was changed. Thurlow had acted on the opinion of Warren, the physician originally consulted, and who confidently declared that the King could not recover. But Warren became suspected of a disposition to flatter the Prince's hopes; and Willis, who was subsequently called in, pronounced a different opinion, and as confidently predicted that the King's early and complete recovery was probable, if not absolutely certain. His Majesty's symptoms improved under the treatment of Willis; and the Chancellor began to think he had been hasty. Accordingly, on the 11th of December, when Lord Camden attacked the claim of right which had been put forward by Fox, the Chancellor, unlike himself, made a moderate, trimming speech, which shewed the painful doubt and hesitation under which he laboured as to the best course to pursue for his own interest. But on the 15th his mind was made up. On that day he stood up in his place in Parliament, and, with many tears, admonished his amazed audi-

[h] His letter to Loughborough (to whom he had promised the Chancellorship in the event of his return to power) expresses great annoyance at the arrangement. 'I have swallowed a bitter pill. . . . I do not remember ever feeling so uneasy about any political thing I ever did in my life.'—*Correspondence.*

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ences, that their first duty was to preserve the rights of their King *entire*, so that, when God should permit him to recover, he might not find his situation worse than it had been before his infirmity. He then dwelt on his own grief, and the debt of gratitude which he owed to his afflicted Sovereign; concluding with these well-remembered words, "When I forget my King, may God forget me![1]

Dempster's amendment.

On the report of the resolutions carried by Pitt in Committee, there was a debate, which lasted for two days, originating in an amendment, moved by Mr. Dempster, to the second resolution. The right of Parliament to make provision for the exercise of royal authority during its temporary interruption having been confirmed, the proposal of the Opposition was, that the Prince should be addressed to assume the Government. The debate yielded no novelty in argument on either side, and was chiefly remarkable for one of those outbursts of spleen, folly, intemperance and bad taste, interspersed with striking phrases and

[1] The witty remarks of Wilkes and Burke, who stood near him when he uttered these tremendous words are well known. I have seen another version of this celebrated peroration, According to Sir J. B. Burgess, who was present, when the Chancellor came to the words 'May God'—he suddenly stopped in his career; a word, the most familiar to his lips, having naturally arisen, but after a pause, instead of 'damn' he substituted 'forget,' and so created a household word when he was about to utter an ordinary imprecation.—*Locker* MSS.

passages of brilliant oratory, which Burke so frequently poured forth. His fury was on this occasion directed against Thurlow, who, by his recent speech, had finally severed his fortunes from the Heir-apparent. It was proposed by the Ministry, that the Great Seal should be affixed to the Regency Bill as a substitute for the royal assent. This operation Burke described as setting up a phantom of sovereignty, 'a man with black brows and a large wig, a puppet, an idol, an idiot, a *thing* to which he disclaimed allegiance.' The House, tired and disgusted with this raving, at length shewed the usual signs of impatience and disapprobation; upon which he called them a pack of hounds, and at length sat down, leaving a doubt on the minds of many of his hearers whether he was not as fit a subject for restraint and discipline as the unhappy personage whose affliction he commonly alluded to in the most coarse and inhuman terms. The division shewed an increased majority for Ministers, being seventy-three, in a House less full than that which voted on the previous occasion. The resolutions were then communicated to the other House, which, upon a division, agreed to them by a majority of thirty-three. The Houses having adjourned over the Christmas week, a farther delay took place in consequence of the death of the Speaker, on the day the Commons reassembled. Grenville was elected to the chair by a majority of seventy-one over Sir Gilbert Elliott, the candidate put forward

Grenville elected Speaker.

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by the Opposition; and the day following, being the 6th of January, a crowded House was assembled, on the understanding that Pitt was to declare the restrictions on the regency. But the Opposition contended, that, before determining a point of such importance, the House should be possessed of information as to the present state of His Majesty's health. This objection was urged by Fox with temper and decency, and supported by Burke in a speech which displayed the opposite qualities. Pitt immediately fell in with the suggestion, which was certainly plausible, and moved for a committee to examine the physicians and report the state of His Majesty's health. To this motion, Sheridan proposed, as an amendment, to leave out the limitations as to conducting the inquiry by an examination merely of the King's medical attendants; but the result shewed the increasing strength of the Government, their majority being increased to eighty.[j]

Proposed restrictions on the Regent.

The restrictions which Ministers proposed to place on the power of the Regent were submitted to the Prince by Pitt on the 30th of December. The royal authority was to be exercised by His

[j] The numbers were 221 to 141. The Opposition hailed this event as a new source of embarrassment to the Ministers. The Duke of York went about exulting, that now the immediate appointment of a Regent was inevitable, as the new Speaker could not be confirmed without the royal authority.—*Locker* MSS. But the decision and promptitude of Pitt easily disposed of this minor difficulty.

Royal Highness in the name and on behalf of His Majesty; the care of the King's person, the management of the household, with the appointment of its officers and servants, being reserved to the Queen. The Regent was not to dispose of the King's real or personal property, nor grant any office in reversion, nor for any other term than during His Majesty's pleasure, nor any pension, nor any office except one which must be granted for life, nor create any peer. These stringent conditions were proposed, on the assumption that His Majesty's illness might not be of long duration. 'Should it unfortunately be protracted'—so concluded the Minister's letter—'Parliament might reconsider these provisions.' The Prince's reply, a masterpiece of composition, was drawn up by Burke. Considering that the person called upon to exercise the sovereign power was the immediate heir to the Crown, and a prince of mature age, it must be admitted, that the restraints imposed upon him were somewhat strict, and afforded strong grounds for remonstrance, if not complaint. The preparation of a paper, which should convey any such remonstrance or complaint in a style not unbecoming the exalted rank and peculiar position of the personage who signed it, was a task which seemed to demand the soundest judgment and discrimination. Yet this task was successfully accomplished by a man who had never opened his mouth in Parliament on the subject of the

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regency, without shocking and revolting his hearers by an exhibition of violence and folly. The style of the paper was chaste; the arguments against the scheme proposed by the Minister were stated with simplicity and force; and the tone of the document throughout was maintained with dignity and temper.

Names of physicians appointed.

The examination of the physicians before the Committee occupied a week, and was conducted in a manner which, on one side at least, shewed little regard for decency or humanity. The two parties, which divided the Legislature, were represented in the sick chamber of the sovereign. Dr. Warren, a physician of the highest reputation, who had been in attendance on the King from the first appearance of the malady, maintained an unfavourable opinion of the case. The other doctors in regular attendance on His Majesty, Sir George Baker, Sir Lucas Pepys, Drs. Heberden and Reynolds, concurred with Warren. On the other side was Dr. Willis, who had, for nearly thirty years, been manager of a private asylum for lunatics, and whose treatment had been eminently successful. Willis was called in on the 4th of December, and without hesitation declared, that His Majesty's recovery was more than probable, and might be confidently expected in a few weeks.

Confidence of the Queen and Pitt in Dr. Willis.

From that time Willis had the entire confidence of the Queen and Pitt; for this reason, and because his opinion was more agreeable to their

views, the authority of Warren was upheld by the Prince's party, while that of Willis was always quoted by the King's friends. At the second examination before the Commons Committee in January, Warren declared that the opinion which he had given a month before was unchanged; that there was no improvement in His Majesty's condition, and that if there was any difference, it was for the worse. Willis, on the contrary, maintained that the disorder had materially abated, that the chances of recovery had greatly increased since he had been last examined, and that he hardly entertained a doubt of His Majesty's complete restoration. This evidence, so unwelcome to Sheridan, Burke, and the other friends of the Prince who sat on the Committee, was subjected to a severity of cross-examination such as the most jealous advocate in a Court of Justice could not have excelled. The doctor was required to justify every word of every statement which he had made with respect to His Majesty's health, and to explain every particular of the treatment he had adopted. He was censured for having allowed the King to read the play of Lear; for having allowed him to read at all; for permitting him to have interviews with the Queen and the Princesses; for allowing him to use a razor. The cross questions, and more especially the manner in which they were put, disclosed too plainly the motive and feeling by which they were prompted, and had no other effect than

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to engage the sympathy of the public still more strongly on the side of the King, the Queen, and the Ministers.

On the 16th of January, Pitt moved five resolutions, embodying the restrictions on the regency contained in his letter to the Prince. It required all the authority and credit which he possessed to carry this measure. Parliament had with difficulty been brought to a vote, against which the Prince, about to mount the throne, had expressly declared his displeasure; and now the Houses were required to confer the royal authority on the Heir-apparent diminished by such restrictions as seemed to imply a distrust of the individual, and were certainly incompatible with the efficient exercise of the royal prerogative. The Prince was not permitted to deal with the property of the Crown; he was denied the right of making peers, as if he were unworthy to unlock the fountain of honour; the household, comprising some of the great offices of state, was to be placed beyond his control. When this scheme of a regency was first propounded, His Royal Highness declared he would not consent to it; but when he understood that the unbending Minister had determined, in case of his refusal, to offer the regency to the Queen, and, in the event of Her Majesty's declining the burden, to delegate the royal authority to a council, the Prince was advised to yield; but it was made known, that his first act as Regent would be the dismissal of the Ministers who had put such an indignity upon him.

In the speech with which he introduced the resolutions, Pitt made use of an insinuation which had been rashly hazarded in the Committee up stairs, and ventilated by the Opposition press, that the Queen and Dr. Willis were in collusion, for the purpose of misrepresenting the state of the King's health, with the view to defeat the just claims of the Prince to the full and free exercise of the royal authority. This was one of the most notable of the series of blunders which the too zealous and interested friends of His Royal Highness had committed throughout these proceedings. During the twenty-eight years that Her Majesty had shared the throne, her conduct had been in every respect irreproachable. She had neither taste nor talent for political intrigue, and seemed to have no idea of her station beyond the observance of a dull decorum in her court and household. The King seldom alluded to public affairs in the presence of his consort or his family; and Charlotte rarely evinced any interest in matters beyond the precincts of her court and household. When the King's illness cast responsibility upon her, it was as unwelcome as it was unwonted. She hardly ventured to take any step, and her whole anxiety was lest the King should disapprove of any part of her conduct, if he should at any time be in a condition to resume his authority.[k] The conduct of

Pitt's speech.

[k] *Locker* MSS. LADY HARCOURT'S *Diary*.

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her sons, indeed, particularly of the Prince of Wales, was so gross, so utterly wanting in common feeling and decency, that she did not hesitate to treat them with marked displeasure. It was no less her duty than the natural dictate of her heart in this trying emergency, to be guided by those counsellors who were trusted by the King, and who were still the responsible advisers of the Crown. It was not to be expected, that Her Majesty should set aside Pitt and Thurlow to consult Fox and Sheridan; and it was with the entire approval of Pitt, and the sullen acquiescence of Thurlow (who could never cordially support what Pitt, or, indeed, anybody else approved), that the management of the King's health was principally entrusted to Dr. Willis. There was no pretence, as the Prince well knew, for the insinuation, that Willis was a creature of the Queen. Mrs. Harcourt, the wife of one of the equerries (General, afterwards Earl Harcourt), had drawn up a paper,[1] in which she stated her knowledge of the qualifications of Willis, from his successful treatment of her mother, who had been afflicted with mental disease. This paper, on the 28th of November, having been laid before the Prince, the Duke of York, the Chancellor and Pitt, it was determined that Willis should be sent for; and the confidence with which he soon inspired the Queen, was the necessary consequence of the

[1] *Locker* MSS. LADY HARCOURT'S *Diary*.

superior skill and courage which he shewed in the care of his patient. Ch. 30. 1789

It was under these circumstances, that the mother of the Prince was attacked by an insinuation, which His Royal Highness knew to be false and unfounded. Pitt's indignant and scornful refutation of this charge, or insinuated charge, could not fail to produce its effect, and to reconcile his hearers to restraints on the authority of a Regent so little likely to make a good use of power. After a lengthened debate, in which Sheridan took the leading part on behalf of the Prince, four of the five resolutions were carried after two divisions, in which the majority for Ministers was, with the exception of a few deserters, fully maintained. On the 19th, a final struggle took place on the fifth resolution, which related to the household. The Opposition had, at one time, entertained a sanguine hope of defeating this part of the scheme; and doubts had been expressed, whether Parliament could be induced to go the length of separating the patronage of the Crown in such a manner as to create a Queen's party, in opposition to the government of the regent. But such was now the ascendancy of Pitt, that a moderate amendment proposed by Lord North, that the control of the household should be withdrawn from the Executive only 'for a limited time,' was negatived by two hundred and twenty to one hundred and sixty-four. The resolutions having been voted by the Lords, Charge against the Queen.

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though not without an animated debate, a division, and a protest of the minority, signed by the Dukes of York and Cumberland, they were laid before the Prince in an Address from both Houses. His Royal Highness returned an answer consenting to accept the regency on the terms proposed, presuming that the resolutions were founded on the hope, in which he ardently participated, that His Majesty's disorder might not be of long duration. The next step was to confirm these proceedings by an act of the Legislature; but, as it was considered necessary for this purpose that Parliament should be opened by a commission under the Great Seal, letters patent were directed to be issued, empowering certain commissioners therein named to observe as nearly as possible the usual formalities. The names of the Princes of the blood were inserted in the commission, but subsequently withdrawn by their desire. This formal proceeding was adopted on the authority of a precedent in the reign of Henry the Sixth, which was followed in 1754, when Lord Chancellor Hardwick, during the illness of George the Second, affixed the Great Seal to a Commission for opening a Session of Parliament. Some doubts were expressed in both Houses as to the sufficiency of the precedents, but the authority of Lord Camden, who proposed the measure, outweighed these objections, and the Houses agreed to a form, which might have been safely dispensed with.

Second reading carried without a division.

The Regency Bill was introduced on the 5th of February, and was read a second time on the following day without a division. The Opposition, having exhausted all their efforts to obtain better terms for the Prince, were, for the most part, content that the Bill should pass, and that they might come into power without unnecessary delay. Fox, who had returned from the Continent in a bad state of health, and had struggled for some time against his disorder, which occasioned serious apprehension to his friends, absented himself from the House during the farther progress of the Bill. Sheridan moderated his tone, and went so far as to deny that he had ever gone the length of asserting the Prince's indefeasible right. Lord North, who was not a candidate for office under the approaching dispensation, contented himself with some practical comments on the Bill as it passed through its stages. Burke alone pursued the Bill with unmitigated hostility; but his violence and exaggeration only caused pain to his friends, and drew from the supporters of the Government expressions of anger and disgust. He described the Bill as intended to degrade the Prince of Wales, and to outlaw, excommunicate, and attaint the whole house of Brunswick. When the House laughed at this raving, Burke broke into a fury, and charged the Minister with acting *treasons*, for which the justice of the country would one day overtake them. Here he was stopped by loud cries of 'Order,' amidst which

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Pitt rose, and observed, that, though he seldom thought it worth while to interrupt the right honourable gentleman, and call him to order, or, indeed, to make him any answer, yet when he so far violated common decency, as to describe in such terms as he had employed, a Bill founded on principles which the House had sanctioned by distinct resolutions, it was necessary that the House should interpose its authority. But, so far was Burke from being checked by this rebuke, or by the manifest repugnance with which his loose invectives, his pointless sarcasms, and strained, inappropriate metaphors, were habitually received, that, on the next occasion when the Bill was in Committee, he so far cast off every restraint of decency and humanity, as to speak of the afflicted monarch 'as having been hurled from his throne, and plunged into a condition that drew down upon him the pity of the meanest peasant in his kingdom.'. A cry was raised throughout the House to take down these words; and Burke, staggered by the storm of indignation, attempted to explain, but the agitation hardly subsided before the close of the debate.

Bill framed in the Commons.

The Bill was passed through the Commons with increased majorities, and carried to the Lords on the 12th of February. It was read a second time, and had passed through several stages in Committee, when the Lord Chancellor, on the 17th of February, announced that so great an

improvement had taken place in the King's health as to render it extremely probable that it would not be necessary to proceed with the Bill. Upon this intimation, the House adjourned to the 24th, and the consideration of the Bill was not resumed.

The King's disorder took a favourable turn on the 6th of February. His pulse, which, in the height of the malady, had varied from one hundred and twenty to one hundred and thirty, and had seldom been below ninety, beat steadily on this day from seventy-two to eighty-two; and Dr. Willis expressed a confident expectation that His Majesty would be well in a week. This expectation was substantially verified; but had it not been for the rapid progress with which the Regency Bill was advancing to its final stage, Willis would have deferred the announcement until His Majesty's recovery was so far confirmed as to enable him to resume his authority without fear of a relapse. As it was, Warren still refused not only to pronounce the King convalescent, but even to admit that any material amendment had taken place. The other doctors, either sharing Warren's jealousy of Willis, or swayed by the authority of the senior physician, maintained a cautious reserve. Willis, therefore, took upon himself the sole responsibility of informing the Chancellor that the King's state was such that the Regency Bill ought not to be proceeded with. Thurlow, after his rough fashion, said he did not believe it, and refused to act on any such

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information. But the courageous doctor was not to be brow-beat. He declared, that if his deliberate opinion was disregarded he would publish it to the world; and threatened the astonished Chancellor with impeachment, if he dared to act on the assumption of his Sovereign's continued incapacity.[m] Thurlow, upon this, consented to see the King, and judge for himself. An interview of two hours satisfied him, that the representation which had been made to him was correct; and on the following day Willis attended the Cabinet at which it was determined to abandon the Bill. On the 23rd of the month, the King wrote to Mr. Pitt, announcing his convalescence; and on the 26th the last bulletin of the physicians was issued. It was signed by Sir George Baker, Sir Lucas Pepys, and Dr. Willis, and apprized the public of the 'entire cessation of His Majesty's illness.'

Dr. Willis's opinion.

Dr. Willis did not hesitate to declare, that if he had been consulted in the first instance, the King's illness would, in all probability, have been of very short duration. And this opinion appears to have been well founded. Mental disease was, at that time, a branch of art little understood; and the specific treatment of lunatics was worthy only of the barbarous age of medicine. The un-

[m] Lady Harcourt's *Diary*. This fact was afterwards confirmed by Dr. Robert Willis, who told Mr. Locker that his father actually *bullied* the Chancellor before he could make him stir in the matter.—*Locker* MSS.

happy patient, upon whom this, the most terrible visitation of Heaven, had fallen, was no longer dealt with as a human being. His body was immediately enclosed in a machine, which left it no liberty of motion. He was sometimes chained to a staple. He was frequently beaten and starved; and, at the best, he was kept in subjection by menacing and violent language. The history of the King's illness shewed that the most exalted station did not wholly exempt the sufferer from this stupid and inhuman usage. The King's disorder manifested itself principally in unceasing talk,[n] but no disposition to violence was exhibited. Yet he was subjected constantly to the severe discipline of the strait waistcoat; he was secluded from the Queen and his family; he was denied the use of a knife and fork, of scissors, or any instrument with which he might inflict bodily injury. Such petty vexatious treatment could not fail to aggravate a disorder, the leading symptom of which was nervous irritability, caused by over application, extreme abstemiousness, and domestic anxiety. It would have been well if the errors of the physicians had been confined to ignorance. But their negligence was still more reprehensible. While the poor maniac was deprived of those tender offices, which his wife and daughters might have rendered, he was aban-

[n] He talked on one occasion for nineteen hours without intermission.—*Diary, Locker* MSS.

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doned to the care of low mercenaries; and so little discrimination was observed in the choice of his attendants, that the charge of his person devolved chiefly on a German page, named Ernst, who was utterly unworthy to be trusted with the care of the humblest of his fellow-creatures. This man, who had been raised by the patronage of His Majesty, repaid the kindness of his royal master with the most brutal ingratitude. He went so far as to strike the helpless King; and on one occasion, when His Majesty wished to protract his exercise in the gardens at Kew, Ernst seized him in his arms, carried him into a chamber, and throwing him violently on a sofa, exclaimed in an insolent manner to the attendants: 'There is your King for you.'[o]

Treatment of the King at Kew.

These outrages were perpetrated in the seclusion of the Palace at Kew, to which the King had been removed in the month of October, at the instance of the Prince of Wales. His Majesty had been persuaded to leave Windsor, to which he was much attached, by the promise that he should see his children at Kew. He entered the carriage cheerfully; but on passing through the iron gates of the little park, he put his hands before his face, and burst into tears. Recovering his composure, however, he talked to the equerries who accompanied him in the carriage in his

[o] The King, who, after his recovery, remembered and related almost everything that happened to him during his aberration, mentioned this fact to Lady Harcourt.—*Diary, Locker* MSS.

ordinary hurried manner, pointing out the objects in the road, and anticipating the pleasure long denied him, of seeing his wife and daughters. But on his arrival at Kew, he found himself a prisoner. Proceeding towards the apartments he usually occupied, he was stopped, and conducted into a large room, where he found the pages who were to be his keepers waiting to receive him. The equerries, among whom was his faithful and valued servant, General Harcourt, according to the orders they had received, withdrew. The physicians also, who had accompanied the royal patient from Windsor, having consigned him to the charge of the pages, also thought proper to retire, and actually returned to London the same night. The King then impatiently demanded to see his family; and the promise under which he had been induced to leave his Palace of Windsor was, in cruel mockery, fulfilled. The Princesses were brought before the window; the King, on seeing them, rushed forward to lift the sash, but it was screwed down. A paroxysm was the immediate consequence of this cruel restraint; the Princesses were hastily removed, and the King was dragged from the window, entreating to be allowed to speak to his children.[p]

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It is not surprising that the King made no progress towards recovery under treatment such as this, which continued until the first week in

[p] Lady Harcourt's *Diary*; *Locker* MSS.

Ch. 30. December, when, happily, Dr. Willis was called in.

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The King's abhorrence of his physicians, under whose sanction he had been subjected to such cruel indignities and vexatious restraints, did not dispose him to a favourable reception of a new medical adviser, whom he considered only as another added to the number of his persecutors.

Reception of Dr. Willis.

When Willis was introduced, the King displayed in a remarkable manner the quickness which lunatics often exhibit. He reproached the doctor with having given up the sacred calling to which he had been ordained for a lucrative profession. Willis replied, that our Saviour cured demoniacs. 'Yes,' said the King, 'but he did not get seven hundred pounds a year for it.' The mild yet firm manner of the wise and humane physician, into whose hands His Majesty had at last happily fallen, soon obtained its usual influence over the irritable patient. At a second interview, the poor King opened his heart to the new doctor, and poured forth all its grievances; among the most prominent of which were, the seclusion of his wife and daughters, the refusal of a razor, of a knife and fork, and the insolence of the pages. The doctor soothed his agitation upon all these points. The King was particularly indignant at being denied the use of a razor, lest he should cut his throat. 'I am sure,' said Willis, 'your Majesty is too good a Christian, and that you have too much sense of what you

owe to your people to commit such an act;' and immediately presented him with a razor,[q] which the King quietly applied to its proper purpose, under no other restraint than the doctor's eye. The other offensive and unnecessary restrictions were relaxed, and ultimately removed. When the King demanded the use of a knife and fork, Willis readily assented, adding, that, with His Majesty's leave, he would have the honour of dining with him. In like manner, the Queen and the Princesses, whom he had not seen since the 5th of the preceding month, were brought into his presence.[r] He seized Her Majesty's hand, kissed it, and held it in his during the whole interview, which lasted half an hour. The little Princess Amelia, who, from her infancy, had been his favourite child, sat upon his lap. The care of His Majesty's person was no longer entrusted to the uncontrolled discretion of the pages, and the brutal Ernst was dismissed altogether. Ch. 30. 1788

I have selected these few particulars from the sad detail of suffering and privation to which the afflicted monarch had been wantonly subjected, before the Willises, father and son, introduced a

[q] Warren, in his capacity of first physician, took upon himself to reprimand Willis for venturing on such an act without the sanction of the other physicians. Willis, according to Warren's evidence, admitted that he shuddered at what he had done; but Willis denied any recollection of having used such an expression, or of having been conscious of any tremor on the occasion.—*Lords' Journals.*

[r] 13th December.

Ch. 30. more careful and enlightened system of treatment.
1788 Yet it was happy for the sufferer that he was conscious of no emotion more keen than that which the ignorance of physicians, or the insolence of menials, could inflict. The delinquencies of those who owed him the first debt of duty and reverence were concealed from his view. The Prince of Wales had been so long estranged from his father, that nothing beyond an outward regard to decency could fairly be expected from him. But the Duke of York was differently placed. He had not before him the immediate prospect of succession to a throne; he had no pretence for saying or feeling that his youthful errors had been harshly rebuked, and that no allowance had been made for the temptations to which he was exposed. Frederick was ever the favoured son of George the Third, from whom he had experienced signal marks of affection and indulgence. But no sooner was this fond father prostrated by an affliction, which drew towards him the sympathy and compassion of all his people, except the heir-apparent, his political associates and sycophants, than this beloved son deserted to the party which treated his sufferings with mockery and hate. It is not without disgust that we read of the indignities to which the helpless monarch was subjected by a vile menial; but human nature itself revolts from the parricidal outrages with which these brothers treated the infirmity of their parent. It is not necessary

to dwell in detail on the odious conduct of these men. One or two well authenticated facts will suffice. The Prince of Wales, who had a talent for mimicry, and indeed possessed the social qualities suited to the witty and profligate men and women with whom he lived, was in the habit of amusing his companions by *taking off*, as the phrase was, the gestures and actions of his insane father. That which he did himself he suffered his friends to do; and the standing topic in the Prince's circle was ridicule of the King and Queen.[s] The Duke of York vied with his brother in defamation of his parents; but he was wholly destitute of the lively talent which sometimes carries off the grosser parts of the most ribald discourse; and the brutality of the stupid sot disgusted even the most profligate of his associates.

Violent party spirit.

Party spirit had never been known to run so high as during the King's illness. Private society was infected by it; and the partizans of the Prince could not meet the King's friends at the same table. The confident assertions of Dr. Warren, that the King was a confirmed lunatic,[t] materially

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[s] At Brookes's, a cant phrase at the whist tables was: 'I play the lunatic (the King).' Jack Payne, the Prince's secretary and confidential man, one day uttered some ribaldry about the Queen in the presence of the Duchess of Gordon: 'You little, insignificant, good-for-nothing, upstart, pert, chattering puppy,' said her Grace, 'how dare you name your royal master's royal mother in that style!'—Lady Harcourt's *Diary; Locker* MSS.

[t] See a letter from General Grant to Lord Cornwallis, 18th

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influenced the conduct of the Princes, and determined the policy of the Opposition. Warren had committed himself to this opinion in the first instance; and within a few days of the King's recovery he quarrelled with Sir Lucas Pepys in the Prince's presence for expressing a doubt upon the subject. On the other hand, Dr. Willis had been equally confident in maintaining that the King's recovery was merely a question of time; and did not hesitate to say, that if his patient had been in a private station, a few weeks would have sufficed to re-establish his health.

While factions were thus raging over the prostrate monarch, the people were of one mind in their loyal attachment to the Crown. George the Third, without going out of his way to court the favour of his people, was the most popular King since Charles the Second; and, like Charles, his popularity was in a great measure owing to dislike and distrust of his successor. The futile attempt of a poor silly woman in 1786 to wound the King by thrusting a knife at him as he was entering the theatre, drew forth a demonstration of loyalty such as this country had not exhibited since the days of the cavaliers. The attachment to his person manifested by the country people when

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March, 1789. CORNWALLIS' *Correspondence*, vol. i. p. 445, and WRAXALL'S *Posthumous Memoirs*. Lady Harcourt's *Diary*, and the papers in Mr. Locker's Collection, bear abundant evidence to the same effect.

he visited Cheltenham is said to have accelerated his malady, by the excitement which it produced. During his illness, the Court physicians received letters daily, urging them, as they valued their lives, to care for His Majesty's health. Sir George Baker, the physician in ordinary, was stopped in his carriage by the populace, demanding an account of the King's health; and when he gave an unfavourable report, he was assailed with cries of anger and reproach.[u] The rejoicings and thanksgivings on his recovery were loud and universal throughout the kingdom.

Difficulties of Pitt's position.

The firmness and judgment displayed by Pitt through these three anxious months were more remarkable even than the signal exhibition of the same qualities during the crisis of 1784. His successful struggle with the Coalition was a feat of political courage and conduct, which has never been surpassed; but the circumstances of 1788-9 were far more complicated and critical than those which accompany a party conflict, however desperate. The task which Pitt undertook was one of unparalleled difficulty. He stood forward at once to defend the rights of the Crown, no longer in a condition to defend itself, and to vindicate the supreme authority of Parliament, assailed by those who had always assumed to be its champions. He had to encounter not merely the rage of a party eager for place, and burning for

[u] MADAME D'ARBLAY'S *Diary*, vol. iv p. 336.

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revenge, but the avowed displeasure of a Prince, who, in all human probability, would soon have the fortunes of statesmen and politicians at his disposal. Would those devoted followers who had yielded him a blind obedience while his courage and capacity were backed by the whole weight of the Crown, adhere to their fidelity when that support was withdrawn, and when he ventured to stand in the way of the Prince who had already one foot on the steps of the throne? Some, indeed, had already deserted him; others, who were faltering, remained for the moment, fascinated by his undaunted resolution and imperturbable fortitude. Yet it is hardly possible that he could have maintained his position, had his opponents availed themselves of the advantages they possessed. But in 1789, as in 1784, Pitt prevailed as much through the short-sighted insolence of his foes, as by his own consummate skill and prudence. Had the undoubted pretensions of the Prince of Wales been put forward with firmness and moderation, they would have been irresistible; and it is probable, that any attempt to place restrictions on his power, such as those which Pitt made Parliament adopt, would have utterly failed. The prejudice caused by the abstract question of right, so gratuitously and perversely started by the Opposition, enabled Pitt to propose a restricted Regency Bill; and the delays interposed by the Opposition to the completion of the arrangement by which the Whigs

were to return to power, prevented that arrangement taking effect. If the Regency Bill had been passed with the despatch which a due regard to the grave exigency occasioned by an interruption to the royal authority seemed to demand, the Prince of Wales must have assumed the government soon after Christmas, and Fox would have been minister. A few weeks of power under such circumstances might have entirely altered the relations of political parties. The whole body of time-servers would have passed over to the Prince's party, and many others would have entered into engagements from which they could not have receded. It seemed hardly possible that Pitt should bear up against the accumulated difficulties which surrounded him. Unlike any of the statesmen who had struggled for power since the Revolution, he had not the support of any leading political connection. His kinsmen, the Grenvilles, were no longer the powerful family which they were thirty years before, when the strong will of the head of the house could bend the pride of Chatham, and when one of its cadets was at the head of the Government. The Marquis of Buckingham was one of the most wayward and impracticable of men; he had all the ill-temper of his family, without any of their firmness and aptitude for affairs. William Grenville, the Speaker, who, in after years, revived the credit and authority of his house, was as yet young and little known in public life. The Cabinet included

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but one man of mark besides Pitt, with a spirit as proud as his own—the able and sagacious Thurlow. But the First Minister and the Chancellor were as much opposed to each other as if they had sat on different sides of the table. While Pitt supported the impeachment of Hastings, the Chancellor declared his readiness to affix the Great Seal to a patent of nobility which should recognise the great services of the Indian ruler. On the question of the Slave Trade, Thurlow was openly opposed to the chief minister. On smaller matters, their differences were not less bitter. Pitt had advanced his Attorney-General and personal friend Arden to the office of Master of the Rolls, in spite of the determined protest of the Chancellor, who claimed this appointment as part of the patronage of the Great Seal, and openly derided the pretensions of Arden to such an office. Jealousy of Pitt's predominance had rendered Thurlow always a turbulent and impracticable member of the Cabinet; but his undoubted ability and vigour, joined with a reputation which a blunt and sarcastic manner obtained for the most corrupt and selfish of public men, rendered the Chancellor too formidable to be overborne; and he could venture, not only to thwart his colleagues in council, but even to deride and frustrate their policy in his place in Parliament, with an insolence which the avowed Opposition could hardly equal. When the King was pronounced incapable of administering public

affairs, Thurlow was the first to desert him and to go over to the Prince. When the King's malady assumed a more favourable aspect, and some difficulty arose as to the fulfilment of the bargain he had made with the Opposition, he returned to his colleagues, calling God to witness his unshaken loyalty, as we have seen; and even to the last, while His Majesty's recovery was still doubtful, the Chancellor, with an assurance which, in any other man, would have been amazing, loudly proclaimed that the conduct of the Prince of Wales had, throughout this trying time, been admirable and exemplary.[v] Ch. 30. 1789

The other colleagues of Pitt were either trembling for their political fortunes, or were incapable of affording him any substantial support. Dundas alone remained firm to his patron; but the shrewd Scotch lawyer, though a useful subordinate, had no pretensions to the political and social weight which the emergency demanded. In such a situation, many a minister would have persuaded himself that he consulted the public interest as well as his own, by opening a correspondence with the Heir-apparent and his friends. There can be no doubt that any such overture would have been eagerly received, and that Pitt might have obtained any terms not wholly incompatible with the just pretensions of the Whigs to a share of power. But the courageous son of Chatham Dundas.

[v] Lady Harcourt's *Diary*; *Locker* MSS.

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maintained the same unbending spirit which he had displayed in 1786, when he was supported by the whole weight of the Crown, by the whole tribe of courtiers, and by a rapidly increasing majority of the nation, against a desperate majority of the Commons. Like that statesman, whose arrogance of power his father had denounced, Pitt was determined to be *sole* minister or none. And, anticipating his retreat from power, he constructed a plan of administration which would have paralyzed the arm of his successor. Fox was charged with having devised a scheme, which, under the name of a Bill for the Government of India, was really intended to secure to himself and his friends the Government of England. But the Regency Bill of Pitt may, in this respect, be fairly compared with the India Bill of Fox. The latter created a source of patronage independent of the Crown, and which would probably continue under the control of the party then in power; the former separated the patronage of the Crown, and assigned one portion of it to an irresponsible personage, who would probably place it at the disposal of the Minister about to pass into Opposition. Fox would have had enough to contend with, in succeeding to an office from which a Minister in the height of his reputation had been displaced by an arbitrary act of vicarious prerogative; but if he should have had to encounter the organised opposition of the Lords of the Bedchamber, whose votes had turned him

out in 1783, it is probable that his career would have been of short duration. The transference of the appointments to the Household from the Regent to the Queen, was a snatch at power not more audacious than the famous Indian Council of Seven; but Pitt, with a character unsullied, and with the credit to which he was justly entitled for his able and successful conduct of public affairs, could exalt his reputation by an act which, if attempted under similar circumstances by his great rival, would have covered him with confusion.

Before quitting this subject, it is necessary to advert to the proceedings of the Irish Parliament, in consequence of the King's illness.

This was the first occasion on which the experiment of an independent legislature in the sister island was brought to a decisive test; and the result was such as might have been expected. In whatever way the royal authority should be delegated to a lieutenant during the incapacity of the sovereign, it was obviously indispensable that there should be a concurrence on either side of the Channel in the arrangements to be made. A Regent exercising the power of the Crown with limitation in England, and without limitation in Ireland, would be a reduction of the theory of a double parliament to the practical absurdity to which it evidently tended. And this was the conclusion actually attained. The Lord-Lieutenant in his speech, on opening the Session of 1789, informed

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the Parliament of the King's incapacity; and having communicated the information in terms which seemed to imply that their proceedings should be shaped according to the course pursued by the English Parliament, the Irish Commons immediately took umbrage. 'Ireland,' said Grattan, 'waits not a lesson from Britain, nor a model whereby to frame her proceedings.' The Government proposed, that the House should go into Committee for the purpose of considering the Regency on a day which would be subsequent to the decisive vote of the English Legislature; but the House refused to postpone the Committee, and they withheld supplies until the Committee had sat. When the Committee was constituted, the Ministry were not permitted even to bring in a Regency Bill, but a resolution offering the Government of Ireland, unconditionally and without limitation, to the Prince of Wales, was voted without a division. The Lords concurred in this vote; and the Irish Viceroy, after much doubt and perplexity, determined on refusing to transmit this resolution to the English Government. The Houses thereupon appointed a deputation to carry these resolutions to England; and six persons of the highest rank and influence in the country consented to go upon this ridiculous errand. When these noblemen and gentlemen arrived in London, they found the Regency Bill abandoned in consequence of the King's recovery. Nevertheless, they proceeded to the discharge of

their commission, by presenting the address to the Prince of Wales; and, consequently, His Royal Highness was reduced to the necessity of thanking them for the merely formal part of their address, which contained expressions of loyalty to the Sovereign, and of postponing to a future day his answer to the essential portion referring to his assumption of the sovereignty of Ireland. The King's recovery prevented a collision between the English Government and the Irish Parliament, which was proceeding, after having passed votes of censure on Lord Buckingham, to pass resolutions declaring his Commission as Lord-Lieutenant to be terminated, and of transferring his authority to Lords Justices. Many of the Irish placemen calculating on the virtual demise of the Crown, and the fall of the great Minister of whom they had hitherto been the servile followers, joined in this revolt; and had entered into an association to 'stand by each other' (so ran their phrase), should the Government attempt to dismiss them from their offices and pensions. These people, when they heard of the unexpected turn which affairs had taken in London, made haste to deprecate the vengeance of the justly incensed Minister. Two or three of the ringleaders were dismissed; but the abject submission of the rest of the placemen and sinecurists was contemptuously accepted. The proceedings of the Irish Parliament only excited ridicule in London; but they were significant of

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The King's interview with Thurlow.

the fate which befell that factious and impracticable body after a few years.[w]

The restoration of the King's health was sufficiently ascertained on the day to which the Lords had adjourned to justify the discharge of the order for proceeding with the Regency Bill. His Majesty's recovery, however, was far from complete; and it was not without anxiety that the Willises watched the effects upon his mind of the disclosures which must be made to him. The Chancellor was the first Minister who saw the King; his visit was on the 20th of February, and lasted two hours. He found the King as clear and collected as his ordinary manner, which was confused and hurried, would permit him to be; but Thurlow avoided every topic of an irritating character, and confined himself chiefly to answering the questions which were put to him. The King had conceived a prejudice against Pitt; he fancied that Pitt had been a party to the deceit which had been practised on him, when he was induced to quit Windsor for Kew, by the promise of being allowed to see the Queen on his arrival. He fancied, also, that his Minister had been unnecessarily hasty in bringing forward the Regency Bill. Dr. Willis, however, removed these impressions. In a long conversation which he held with the King, on the 23rd of the month, he entered fully into the narrative of public events during

[w] *Courts and Cabinets of George the Third*, vol. ii. p. 124.

the last three months. The King bore this communication, in many respects so painful and exciting, with firmness and composure. He expressed great satisfaction at being relieved from the impression which he had received, unfavourable to the loyalty and fidelity of his Minister. The same evening, His Majesty addressed a letter to Pitt, announcing his recovery, and desiring Pitt's attendance at Kew on the following day.

The King also received his sons for the first time since his recovery, on the afternoon of the day on which Dr. Willis had related the eventful history of the interregnum. The Princes were such prominent figures in that history, that it was impossible altogether to disguise the part they had taken. The King prepared himself for the interview with the dignity and self-command which he could assume on befitting occasions. When the Princes were announced, the King paused for a moment to suppress his emotion, observing to Colonel Digby, the equerry, that the House of Brunswick never shed tears.[x] Nature, however, asserted her influence, and tears flowed on both sides when the King clasped his sons in his arms, and embraced them with the unreserved affection of a parent. The conversation, however, was general, no allusion being made to His Majesty's illness or to political affairs, and the interview lasted only half an hour.

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[x] Lady Harcourt's *Diary*, MSS.

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On the 10th of March, the King formally resumed the reins of Government by opening Parliament. He did not appear in person, but a Speech was delivered by Commission in the usual manner. Addresses were unanimously voted by both Houses. London was illuminated; and the spontaneous demonstrations of joy from all ranks of the people sufficiently testified the popularity of the King and his Government. Public business, which had been interrupted by the debates on the Regency Bill, at once returned to its accustomed channel; and the Commons were soon engaged in animated debates on the Estimates and the Budget.

General Thanksgiving.

The happy event of the King's recovery was celebrated by a solemn thanksgiving in St. Paul's Cathedral on the 23rd of April. Their Majesties, with the Royal Family, attended by the Lords and Commons and great Officers of State, went in procession; and as they passed through the crowded streets, the acclamations which greeted them from every side were to be regarded not merely as expressing loyalty and attachment to the person of the Sovereign, but, in some measure, as an adverse feeling towards the individual who had so nearly succeeded to his place. An attempt was made by the friends of the Prince of Wales to get up a demonstration in his favour; but its partial success had the effect of provoking a more enthusiastic and general ebullition of loyalty as the procession advanced through the more populous

quarters of the metropolis. The partizans of the Heir-apparent had predicted that the King's mind, so recently and imperfectly restored, would give way under the excitement of this scene; and His Majesty's friends were not without apprehension on this score; but the event was contrary to the hopes and fears on either side. The King, whose ordinary manner was hurried and perplexed, shewed great firmness and composure during the affecting ceremony. Once only tears started to his eyes, but he immediately recovered his self-command; and while the Queen and the Princesses were weeping beside him, he succeeded in suppressing any outward sign of emotion. The Prince of Wales, on the other hand, made no attempt to suppress his chagrin, and could not behave with common temper or decency. The Duke of York imitated the example of his brother; and the petulance of these Princes was exposed not only before their own countrymen of every class, but before strangers, and the representatives of foreign powers.

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The King's condition, however, was not yet that of assured sanity. The hurry of his spirits continued, while the unsoundness of his mind was exhibited in a new and offensive form. His Majesty became, or fancied himself to be enamoured of a lady of high rank, and of an age equal to his own. He talked incessantly of his passion for this lady to the members of the household, and even to the pages in attendance; while, at the

Singular delusion of the King.

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same time, his behaviour to the Queen was marked with tenderness, and even devotion. The object of this passion, a woman of sense and virtue, was much distressed by a preference so unwelcome and ridiculous. Every effort was made to estrange the King from a fancy unbecoming his years, and at variance with the whole tenor of his life. The lady removed from Court; and four days before Parliament was opened, Dr. Willis, with the Chancellor's concurrence, informed the King, that he could not be pronounced capable of conducting public affairs while he continued under this delusion. Nevertheless, this painful symptom of a mind still affected by disease continued for some weeks, causing great anxiety to the Court and the Ministers. At length, the lady herself, with great spirit and firmness, undertook to bring His Majesty to a sense of his delusion; in a long interview, she convinced him that his passion was hopeless, if not ridiculous; and, after some days of despondency, the delusion happily disappeared.[y]

Disagreements in the royal family.

The divisions in the royal family, consequent on the late events, were less easily repaired. The King had formed so just an estimate of the character of his eldest son, that the Prince's conduct seems to have given him neither pain nor surprise; but the ingratitude of the Duke of York, for whom he had a tender affection, wounded him

[y] Lady Harcourt's *Diary*.—*Locker* MSS.

deeply.[z] The Queen, so far as her cold and cautious nature permitted, had usually shewn a preference for the Prince of Wales; but his recent conduct had inspired Her Majesty with a deep and just resentment. Instead of that support on which she would naturally desire to place her chief reliance in the trying circumstances of her situation, the Queen had found in her son the chief of her opponents. The measures which she ventured to approve, as well for the management of the King's person as for the administration of public affairs, were alike thwarted and derided by the Heir-apparent and his friends. The physicians who thought favourably of His Majesty's case, and were, therefore, more particularly consulted by the Queen, were treated as enemies to the Prince's interest. Dr. Warren, who maintained that the King was a confirmed lunatic, was openly and vehemently supported by the Heir-apparent; while Dr. Willis, who predicted the King's recovery in a few weeks, was stigmatised by the Prince and his followers as an empiric and a creature of the Queen's. If the first Prince of the blood had been a dutiful son and a loyal subject, his treatment of his sisters would have been sufficient to stamp his character with the brand of

[z] 'It kills me—it goes to my soul—I know not how to bear it,' were his expressions, when alluding to this subject. He repeatedly declared, that if the Regency Bill had passed, he should have regarded it as a statute of lunacy, and that nothing should have induced him to resume power.—*Locker* MSS.

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cowardice and treachery. It seems, that one of the contemplated measures of the Regency was the union of the Princesses with subjects; not with the view certainly of consulting the happiness of those exalted ladies, but with that of countenancing and confirming the Regent's marriage with a private gentlewoman. The Princesses, however—those at least who were of an age to have an opinion on the subject—did not very readily fall in with this plan. His Royal Highness revenged himself by slandering their characters.[a] An incident, which occurred in the spring of this year, painfully exhibited the estrangement of the royal family. The Duke of York having used an offensive expression with reference to the conduct of Colonel Lenox in some private affair, the Colonel, after the usage among gentlemen in those days, demanded explanation or satisfaction. The Duke refusing the former, condescended to grant the latter alternative, and received, without returning his adversary's fire. His Royal Highness, so far as he was concerned, could not without infamy have sheltered himself behind his rank; but the case was different as regarded Colonel Lenox.

[a] At a public ball soon after the King's recovery, at which the royal family were present, the Prince cast significant and contemptuous glances at the person of the Princess Royal, meaning to imply a calumny for which there was not the slightest foundation. The innocent lady was unhappily sensible of the insult, and mentioned it to Lady Harcourt, who relates the fact in her Diary. The Prince had selected three noblemen who were to marry the three elder Princesses. — Lady Harcourt's *Diary; Locker* MSS.

That gentleman was an officer of the King's Guards, and might well have doubted whether he was forced by the laws of honour to attempt the life of the King's son and Heir-presumptive. Their Majesties at least might have been excused, if they had shewn some displeasure towards a man who had been guilty of such conduct; but Colonel Lenox was received at Court immediately afterwards as usual; and it was even said, that the Queen treated him with marked approbation. Time, however, assuaged these griefs. The Duke of York recovered in a great measure, if not wholly, the affection of his father; and the Prince of Wales, to whom the Queen was always supposed to have shewn a preference, was ultimately restored to Her Majesty's favour.

Wilberforce's speech on slavery.

The Administration, which had approached so near to the term of its existence, was now reinstated in all its former power. The business of the Session, though it resulted in no legislation of importance, was not without interest. Wilberforce, having recovered his health, now came forward as the champion of that great cause, which, while it spread his fame throughout the civilized world, redounded still more to the honour and glory of his country. He gave notice of a motion to consider the Slave Trade, with a view to its entire abolition. On the 12th of May, Wilberforce introduced the subject in a speech which made a deep impression on the House and on the country, and which Burke went so far as to compare to the finest efforts of

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Demosthenes. Nevertheless, an attack on vested interests of great magnitude, and on a lucrative trade, provoked an angry opposition. The debates in the Commons raged with a fury unknown to modern times. The House, in accordance with a vicious practice which then obtained, admitted evidence at their bar on every Bill which affected the interests of any class. The consequence was, that counsel made long speeches to which nobody listened, and that witnesses made statements which it was not thought worth while to subject to the ordinary tests of proof. No definite result, therefore, was arrived at during this Session; and indeed many years elapsed before such a result was attained; but the question was now fairly launched on that career, more or less lengthened, but always long, which every capital question in this country has to run before it receives the impress of the Legislature.

Tobacco duties.

The other business of the Session was not of memorable importance. Two provisions in the financial arrangements of the year may, however, be noticed as significant of the character of the times, and the progress of public opinion. With a view to extend the wise and beneficial measures for the extension of legitimate, and the discouragement of contraband trade, the Chancellor of the Exchequer proposed to transfer the article of tobacco from the Customs to the Excise. Time was, when a proposal to extend the Excise Laws, involving, as they did, an encroachment on the

right of trial by jury, as well as an odious system of inquisitorial visit, would have shaken the Administration. Attempts on the part of the City Corporation, and of some other public bodies, in connection with the manufacturers of tobacco, to provoke an opposition to the proposal, met with little or no encouragement. The people, who had formerly regarded an exciseman as, next to a soldier, most dangerous to their liberties, now looked upon him with indifference. Fox, indeed, in an outbreak of spleen, declared that the people were so changed, that they had become, as it were, enamoured of the tax-gatherers, especially the excisemen, and that they looked up with eagerness and gratification to invite the most wanton exercise of power. Yet little more than half a century had passed away, since a Minister, not less great and powerful than Pitt, had been compelled, by a storm of public indignation, to relinquish a policy similar to that which Pitt had carried into effect with complete success, if not with universal approbation. But the liberties of Englishmen were by this time so firmly established, that standing armies and excisemen had lost their terrors. There was another tax in the budget of the Minister which attracted hardly any notice, but which fifty years later would have raised an opposition such as no Minister in latter days could withstand. This was an addition of a halfpenny to the stamp duty on newspapers, together with an increase of the advertisement duty. Yet so

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feeble was the power of the press, that no voice was raised in Parliament against this impost. The news-men, indeed—a very different class from the capitalists now engaged in the business of retailing newspapers—petitioned against a part of the proposed tax, which prohibited the hiring of daily journals; but their humble protest was silenced by an adverse majority of three to one in the thinnest House of the Session. The half contemptuous terms in which Pitt referred to the commodity from which he proposed to derive a small addition to the revenue, showed how little he appreciated the growth of those potent organs of public opinion, which, in a few years, were destined to control, if not to dictate, the policy of the Minister. He knew not, he said, whether he was to call newspapers a luxury or an article of commerce, or, as some were extravagant enough to think, a mischief; he, however, was disposed to treat them with all possible respect, as most gentlemen would think it perhaps prudent to do. Referring to the increased number of newspapers, especially of late, when they had sprung up, one almost every month, he thought that these additional duties would be very well borne by them.

Grenville succeeds Lord Sydney.

During the Session, Lord Sydney having resigned the seals of Secretary of State, Grenville, the Speaker, was appointed his successor. Some difficulty was experienced in finding, at least on the Ministerial side of the House, a person possessed of the peculiar qualities suited to the Chair. Since

Onslow had retired at the commencement of the reign, after a rule of thirty-four years, the Chair had been filled by a succession of inferior speakers. The consequence had been, a marked deterioration in the character and conduct of the House. He was no ordinary man who could moderate the debates of an assembly, in which the strife of faction was more fierce than in any period of our history; in which Walpole, and Windham, and Yonge, and Pulteney, and Pitt, were leading orators. But though political conflict was carried on in the days of Speaker Onslow without quarter, and with a cruelty unknown to an age of comparatively civilised warfare, the haughtiest combatant and the most angry tumult yielded to the authority of the Chair. The successors of Onslow, after in vain employing expostulation and entreaty to quell disorder, continually resorted to threats of *naming* the ringleaders. But the great Speaker seldom had recourse to a proceeding which is only resorted to in the last extremity; and when he did announce the necessity of NAMING a contumacious or unruly member, he rarely had occasion to carry the awful menace into execution. Sir John Cust, the immediate successor of Onslow, was a weak man, who suffered his authority to be openly set at nought, and exercised little or no control over the House. Sir Fletcher Norton, who followed Cust, was coarse and insolent without firmness or dignity, and was constantly engaged in unseemly disputes with members who resisted

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his authority. Cornwall, who had recently filled the Chair, was so little distinguished, that when he died, not even a complimentary word was bestowed on his memory, although he had filled the office nearly nine years. Grenville, though he had presided only during a part of a single Session, had satisfied the House that something more than knowledge and abilities were required for the Chair. Under a weak and irresolute Speaker, the House must be in a state of anarchy; but on the other hand, a dictatorial style can never prevail with a fastidious and high spirited assembly. Grenville's manner was cold, arrogant and disagreeable; his knowledge of the law and forms of Parliament was imperfect; and the House was little disposed to shew deference to a young man of thirty, merely because he inherited a great parliamentary name, upon which he seemed to presume to a degree hardly warranted by the ability which he unquestionably possessed.

Addington's antecedents.

After much hesitation, Pitt determined to place his friend Addington in the chair. This was certainly a bold step, and was justified only by the absence of any competitor with pretensions of a decided character. Addington was the son of a physician of some provincial repute, who had been called into consultation on the late King's illness. But Dr. Addington's son, instead of being Speaker at thirty-two, and Prime Minister at forty-three, might have passed his parliamentary life on the back benches of the House of

Commons, but for a happy accident. His father had been Lord Chatham's physician; and this circumstance led to the introduction of young Addington as the early associate of William Pitt; and, though no great friendship appears at any time to have existed between them, yet this early connection undoubtedly suggested Addington as a person who, in the absence of any member better qualified, might be eligible to the Chair of the House of Commons. This fortunate young man had been only five years in Parliament, and during that period had done nothing to distinguish himself from the crowd of followers whom the great popularity of his distinguished friend had brought into public life. With the exception of a good person, and an agreeable manner, Addington's qualifications were of a negative character. If he had not been eager to present himself to the House, it probably argued in favour of his good sense. If he had taken no prominent part in any public question, he had avoided collision with any interest or prejudice. Addington had been selected soon after he came into Parliament to second the Address; and a speech on seconding the Address is successful, if it is not ambitious, and if it touches on topics of controversy without provoking a reply. Such a success had been achieved by Addington. On one other occasion only had he been tempted to break the golden silence, which is so little appreciated by aspirants to a parliamentary position. If it could

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not be contended that Addington had shewn eminent qualifications for the Chair, no man could make any objection to him. Sir Gilbert Elliott was again put forward by the Opposition, but Addington was elected by a majority somewhat larger than Grenville had obtained a few months before.

The Session was protracted to an unusual period, Parliament not being prorogued until the 1st of August.

CHAPTER XXXI.

FRENCH REVOLUTION—AFFAIR OF NOOTKA SOUND—THE TEST ACT—A NEW PARLIAMENT—ABATEMENT OF IMPEACHMENT BY DISSOLUTION—THE SLAVE TRADE—THE RUSSIAN ARMAMENT—SEPARATION OF BURKE FROM THE WHIG PARTY—PROGRESS OF THE FRENCH REVOLUTION—RIOTS AT BIRMINGHAM.

SINCE the Treaty of Paris, England had been enabled to maintain peace; but though there might be no reason to apprehend a disturbance of friendly relations with foreign powers, the state of Europe during the years 1786-7-8 was far removed from tranquillity. Russia had begun to unfold those gigantic schemes of aggrandizement, which modern statesmen have justly regarded as menacing the independence and civilisation of the Continent with a new irruption from the Northern hive. A new spoliation of Poland, which should annex to the vast dominions of the Czarina the fairest portion of the ancient territory of the Republic, was about to be perpetrated. The seizure of Bessarabia, Wallachia and Moldavia, was in immediate contemplation. But the ambition of the Court of Petersburg was not

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bounded by the Danube. The restoration of the Lower Empire had long possessed the mind of Catherine; and one of her sons had been destined, at the font, to rule in the city of Constantine. The Crimea had already been appropriated; and a bloody war, which, on the side of the Christian power, was carried on in the savage spirit of a war of extermination, was raging between Russia and the Porte. Austria, under the rule of Joseph, the unworthy son of Maria Theresa, had become the ally and tool of Russia. The independence of the Baltic powers was in like manner menaced. Sweden had been insulted; but her sovereign, Gustavus, had taken up arms with a vigour and promptitude becoming the successor of Charles the Twelfth. Denmark had been coerced by Russia into an offensive alliance against her neighbour, but was afterwards detached by the interference of the British Minister at Copenhagen.

French policy.

While Russia was making advances which seemed to portend schemes of universal dominion, France, though powerless for active aggression, was diligent in the prosecution of diplomatic intrigues against the interests of this country. She succeeded in preventing a treaty of commerce which Pitt had proposed to negotiate with the Court of Petersburg. French agents were likewise busily engaged in Holland, encouraging the democratic party, which was animated by a bitter hostility to this country, and was ready to have provoked a war with England, if they could obtain

the ascendant in the councils of the States. The intrigues of the French were closely watched by Sir James Harris (afterwards Lord Malmesbury), the English ambassador at the Hague; and so critical were the circumstances, that a rupture between the Courts of London and Versailles was imminent during the negotiations for the great treaty of commerce and amity, which was afterwards effected.[a] The French intrigue, however, was brought to a premature crisis by an outrage which the democratic party offered to the Princess of Orange. Without any assignable reason, a body of soldiers, acting by the local authority, stopped her carriage, seized her person, and detained her prisoner. The States of Holland avowed this proceeding, calculating that the insult put upon the consort of the Stadtholder would not be resented by that unworthy representative of the House of Orange. But the Princess was sister to the King of Prussia; and the successor of Frederick the Great demanded full and immediate reparation for the indignity put upon his blood. The insolent burghers, still thinking that the King would not proceed to extremities, and counting on the support of France, refused compliance, and made military preparations. But the policy of the French Court was entirely exploded by the

[a] Pitt to Lord Cornwallis. The circumstances of the present day may suggest a parallel. *Absit omen.*

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violent and precipitate conduct of their Dutch allies; they were in no condition to engage in a war with Prussia, and probably with England. They advised the States of Holland to make the concession demanded by the Government of Berlin; and, upon their hesitation, the French ambassador was withdrawn from the Hague. The Prussian army, under the Duke of Brunswick, was advanced to the frontier of the Netherlands; and the Government of the States was required to give an answer to the King of Prussia within four days. The deputies returned a vaunting defiance, and the Prussian troops crossed the frontier. Their progress was almost uninterrupted. The democratic levies retreated; the towns opened their gates; the people, so far from rising in support of the patriots, hailed the invading army as their deliverers from an odious yoke. The Orange colours, which the ruling faction had peremptorily prohibited, dazzled the eye in every direction; and the Stadtholder, with his courageous consort, entered the Hague in triumph. The city of Amsterdam, behind the walls of which the discomfited faction attempted to make a stand, surrendered after a short resistance; and thus, after a campaign of three weeks, the authority of the House of Orange was restored, the democratic party was dispersed, and the government of the United Provinces was replaced on its ancient foundations. The States General then concluded

treaties of alliance with the Courts of London and Berlin. Ch. 31. 1789

While France, intent upon a policy which should tend to the embarrassment and humiliation of England, was aiding a popular revolution in America, and encouraging a democratic resistance to established authority in the United Provinces, the doctrines she had espoused, had reacted with fatal effect upon her own institutions. Some of the greatest writers that ever influenced public opinion in any country flourished in France during the thirty years which preceded the fall of the monarchy. Voltaire, Rousseau, D'Alembert, Condorcet, Diderot, all wrote within this period; and the great ends to which they devoted their surpassing abilities were the subversion of those truths on which the eternal interests of mankind are founded, and of the principles on which civil government had hitherto proceeded. The whole intelligence of France, led by all that was distinguished in the most polite and brilliant society in the world, surrendered itself to the guidance of these illustrious teachers. It was proclaimed from the saloons of Paris, that Revelation was a falsehood; and that all the received maxims of civil policy were obsolete. Reason was the only guide of reasonable beings; and a republic after the pattern of antiquity was the only form of government suitable to an enlightened people. These doctrines, thoughtlessly ventilated as the sport of

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wit and wantonness, were taken up in a practical and earnest spirit by the millions throughout the country, labouring, as they were, under the oppression of religious and political institutions equally wicked and corrupt. The Revolution in the New World inflamed the imagination of the French people, and gave an impulse to the new opinions. The old monarchy was falling to pieces from corruption and decay. Vain efforts had been made to prop up the falling structure; and at length it fell with an awful crash, to the amazement and terror of mankind.

The French National Assembly.

This tremendous event took place on the 17th of June, 1789. On that memorable day, the third estate of the States General, having absorbed the two other estates, declared itself the National Assembly, and assumed the supreme and undivided legislative authority. The abolition of the privileges of the nobility, the iniquitous and oppressive character of which justified resistance, was decreed by acclamation. The property of the Church was afterwards confiscated; and religion itself, though formally tolerated, was practically suppressed. A Declaration of the Rights of Man, wholly inconsistent with all received maxims of government, was promulgated by the National Assembly. The monarchy was thus virtually extinguished; the King was soon after detained a prisoner at the palace of the Louvre, to which His Majesty and the royal family had been dragged

from Versailles with every circumstance of outrage and indignity.

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Opinions in England.

The French Revolution was regarded with deep interest, but with various feelings, in this country. The two nations had been hitherto accustomed to regard each other as rivals, and almost natural enemies; but the sudden and successful effort of the French people to throw off the yoke of despotism appealed to the sympathies of Englishmen, and recalled the glorious memory of similar struggles in which they had been engaged, and of the liberties which they had, in like manner, conquered. It was to be expected, therefore, that, in its earlier stages, the French Revolution should have excited a great amount of honest enthusiasm throughout these islands. This feeling was abated by the atrocious crimes which marked the bloody progress of the democracy. The more ardent lovers of freedom were willing to palliate the cruel and tyrannical conduct of the popular party in France; and there were some who shewed that they would not be unwilling, if they had the opportunity, to follow the examples of the Jacobin Club, and to emulate the excesses of the Parisian populace. But the bulk of the people were never infected by French principles.

When Parliament assembled after Christmas, the recent events in France necessarily became the subject of discussion in the House of Com-

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mons. The vote on the Army Estimates, afforded the first opportunity for a debate on French affairs. The Government had thought fit to propose some augmentation of the forces; and as the standing army still excited some constitutional jealousy, the increased vote, at a time when the speech from the Throne announced the continued existence of friendly relations with the European powers, became the subject of animadversion. The leader of the Opposition seized this opportunity of expressing his admiration of the French Revolution, through the medium of a doctrine more subversive of freedom, and indeed of all civil government, than any opinion which had ever been uttered within the walls of the House of Commons. The example of a neighbouring nation, said Fox, had proved that the fear of standing armies was unfounded; since it was now shown, that by becoming a soldier, a man did not cease to be a citizen. Such a statement, made without any qualification, went to the root of the principle on which military discipline is based, and constituted the army the supreme judge and arbiter in all civil commotions. All the objections that have been urged by theoretical writers and popular orators against permanent military establishments, sink into insignificance when compared with the appalling magnitude of the danger attendant on an armed force, which is to arbitrate in disputes or conflicts

between the people and their rulers. The argument against a standing army is, in theory, at least, sound and intelligible; it is founded on the assumption of a soldier's implicit obedience to his officer; but Mr. Fox's language implied, that in questions of civil war or commotion, the soldier's obedience was reserved. If that were so, far better would it be to risk the country being occupied by an invader, than trust its defence to a body of men, who should virtually be acknowledged as masters of the Commonwealth. Occasions may no doubt arise, when the soldier is justified in preferring his original duty as a citizen, to the obligations of military allegiance; but such occasions are so rare, that no code, either of municipal or martial law, has ever held them in contemplation. Fox's panegyric on the army, was suggested by the conduct of the French guards, a favored corps, which had been seduced from their duty by the gross arts of the popular party, at a time when their helpless Sovereign was threatened with violence from a blood-thirsty and lawless multitude. Colonel Phipps, an officer in the English guards, repudiated, with just indignation, this scandalous and insulting compliment offered to his profession; but as the language of Fox was uttered in a thin House, no farther notice was taken of it at this time; and it might have been passed over as a hasty ebullition in debate, had not the subject of the

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Burke's protest.

French Revolution been revived on the report of the votes for the army service.

It was known that Burke regarded the late proceedings in France in an unfavorable light; and as the opinions of this eminent person were seldom tempered by moderation, everybody who knew him, was prepared to hear unqualified praise or censure of events so momentous. On the 9th of February, then, Burke went down to the House of Commons, prepared with a solemn protest against the sympathy which the chief of his party had declared for the French Revolution, and especially against those loose and dangerous doctrines, on the obligations of military allegiance, which Fox had ventilated on the previous evening. The speech was in his finest manner; not one of those strange compositions of fustian, vulgarity and nonsense which had so often of late excited the derision of fools, and grieved the few who can only regard with pain the aberrations of genius; but grand, wise, eloquent, affecting, worthy of the incomparable orator, who had delivered the speeches on American Taxation, on Economical Reform, and on the wrongs of India. It was long since anything uttered by Burke, had made any impression either in the House or on the public. It was generally believed, that the genius which had produced the 'Thoughts on the Causes of the Present Discontents,' and the description of the Carnatic, was on the decline, and that no sustained effort of a similar kind could be expected in future.

But the speech of the 9th of February, was the first of a series of speeches and writings which were never surpassed, and could only be equalled by the finest of his own oratorical and literary achievements. The effect produced upon the public mind by Burke's speeches and essays on the French Revolution, was unparalleled. The horrors of that event were pourtrayed in their most revolting form. The cruelty, the rapine, the anarchy, which attend the progress of unbridled democracy, and the military despotism which closes its career, were traced with the master's hand. It is not probable that these islands could have been extensively or permanently infected by French principles; the English people had cause to complain of defects in the Constitution, and abuses in the Administration; but there was no ground of comparison between the political and social condition of England, and the political and social condition of France, before the meeting of the States General in 1789. Nevertheless, the example of France had the effect of stimulating the demands for Reform in the Government of this country, to an extent which was calculated to excite uneasiness, if not alarm. The genius of Burke checked the dangerous precipitations of these demands, rebuked the evil spirits which are ever ready to foment civil commotion, re-assured the fainting hearts of those who had begun to despair of the fortunes of the Commonwealth, and rallied round the altar

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Retractation of Fox.

and the Throne, all who wished well to the united cause of religion and order.

Fox, whose mind had little depth or capacity, possibly thought that the French Revolution was an event which would immediately advance the liberty and happiness of the people; still more likely was he to regard it as a means which might indirectly be made available to turn out the Ministry, and bring himself and his friends into power. Burke's speech on the 9th of February seems to have suggested to the Whig leader some doubts whether he had not been hasty in committing himself to French principles; for he took occasion to qualify the rash opinion which he had expressed on the former day, with reference to the conduct and duty of the military profession. He said, that, in his allusion to the French army, he had gone no farther than the general principle by which that army shewed itself indisposed to be an instrument in the servitude of their fellow citizens, but did not enter into the particulars of their conduct. If Mr. Fox had merely enunciated an abstract opinion, that standing armies were not bound to make themselves instrumental to the servitude of their fellow citizens, every Englishman must have given his assent to such a doctrine; but his remarks were pointed to the conduct of the French Guards, who had deserted their duty without just cause, tempted only by the gross allurements held out to them by the revolutionary party. It was evident, however, from the tone

in which he replied to Burke, that Fox was not only desirous to avoid a breach with his old friend and coadjutor, but that he was checked in the unbounded approbation which he had been willing to bestow on the newly developed principles of liberty in France; and the debate might have closed satisfactorily, had not Sheridan exasperated the incipient differences into an irreconcileable quarrel, by a violent speech in favour of the French Revolution, and in praise of all its actors and all their proceedings. Such sentiments might have been expected from such a quarter. A man of desperate fortune, profligate habits, damaged character and great abilities, would not be unwilling to play the part of Mirabeau, if an opportunity offered, or could be made. Burke rose once more to denounce the language of his former colleague, and to declare, that thenceforth his path in political life lay in an opposite direction to that of Sheridan. This interesting and momentous debate was summed up by Pitt in a prudent and temperate speech, dictated by the desire, so becoming a person in his position, to avoid the discussion of French politics in the spirit of a partisan. He did not hesitate, however, to draw the distinction, so important to be observed, between liberty harmonizing with law and order, such as had been ascertained for a century past under English institutions, with a freedom which consisted only in the ascendancy and dictation of a tyrannical populace.

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The House exhibited a novel and significant appearance during this debate. Burke's speeches were received with great applause on the Ministerial side; but though the Opposition did not cheer, it was manifest that their silence was not altogether the silence of dissent. Sheridan's harangue on the other side was received with ominous coldness by the benches to which he usually looked for applause. On those benches sat men of high rank and great estate, who loved liberty but not equality, and who were not disposed to offer up their rights and privileges as sacrifices on the altar of their country. The Whigs had no desire to see the Crown degraded, the peerage absorbed, or the Church abolished; and the language of Sheridan and Fox caused many of the Opposition to lend a willing ear to the eloquent warning of Burke. On the other hand, there were among that party which had always stood by the great principles of civil and religious liberty, many eminent individuals who thought that the French Revolution was justifiable, and should not be hastily condemned on account of the excesses which had discredited some of its proceedings. An attempt was made to accommodate the differences which threatened to break up the party; a meeting took place at the house of the Duke of Portland, comprising the principal members of the Opposition; but, after a conference which lasted five hours, the divergence of opinion was so great as to prove

wholly irreconcilable. Burke was immoveable in his hostility to the French reformers; and Sheridan was equally uncompromising in his support of the revolutionists. Fox adhered to this cause; the consequence was, that many persons of note, who had hitherto acted with the Whig party, seceded from that connection.

Rupture with Spain.

The attention of Parliament and the country was for a time diverted from French affairs by a rupture, and the consequent imminence of war with Spain. In the preceding summer, a Spanish vessel of war had made a descent upon a small trading settlement, which some Englishmen had formed on an unoccupied spot at the extremity of a neutral water on the north-west coast of America, then known by the name of Nootka Sound, but since called St. George's Sound. The Spaniards, claiming this place as part of the territory of the Catholic King, seized an English merchantman which lay in the Sound, and put the crew in irons. Other British merchant ships were subsequently captured by the Spanish cruiser, and all the property of the settlers was confiscated.

There was not the slightest pretence for those proceedings. No Spaniard had ever before visited the spot; and the English adventurers were the first Europeans who had landed there. They had settled some years before with the knowledge and sanction of their own Government; and they had acquired a title to the small territory which they

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occupied by treaty with the native Chiefs. Several months elapsed before any authentic intelligence of this outrage reached England. When the facts were fully ascertained, a demand of ample reparation was of course made by the English Government. The Spanish ambassadors offered to restore the ships which had been seized, on the ground that the owners had been ignorant of the exclusive pretensions of the Crown of Spain to the North West Coast of America. These terms were peremptorily rejected, and the British resident at the Court of Madrid was instructed to demand a full indemnity, and an unqualified recognition of the right of the British flag, to cover the navigation and commerce of British subjects, and to protect their settlements in countries which had not been appropriated by other European powers. The Spanish Court, after their fashion, protracted negotiations, and, in the meantime, made military preparations. The British Government were equally on the alert; the King sent a message to Parliament, and a vote of credit for one million was taken. Mr. Fitzherbert was also accredited as plenipotentiary at the Court of Madrid, where a diplomatist of inferior rank had hitherto transacted business. The Spanish Government held out for some time, calculating on the support of France; and not without hope of effecting an offensive alliance with Russia or Austria. But, whatever part

the Northern powers might have taken in the actual event of war, they were not disposed to embark in a Spanish quarrel. France, indeed, made an insidious offer of mediation, which probably meant the dictation of terms unfavorable to this country. The British Cabinet declined the proposal, and sent positive instructions to Fitzherbert. Nevertheless, the negotiations were protracted for several months, during which, the Cabinet of Madrid vacillated one way or the other, as they relied more or less on the support of the other powers. At length they yielded upon every point. The British adventurers were fully indemnified. The disputed territory was restored; the right of free navigation and commerce was conceded; the claims of Spain on the American coasts were defined and settled; and those disputes relating to points involving considerations of no intrinsic importance to either party, were brought to a conclusion without disturbing the peace of Europe. The treaty was not concluded until some months after the prorogation of Parliament. The proceedings of the session, unconnected with foreign affairs, were not of sufficient importance to require a detailed record. The claim of the Dissenters to a repeal of the Test Act, which had for several successive sessions been brought forward by a private member of no great station or authority, was this year revived, at the request of the Dissenters, under the auspices of Fox. In the preceding year, the

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motion had been defeated by so small a majority,[b] that hopes were entertained of a successful result on this occasion. It seemed absurd to attach importance to the retention, upon the statute book, of laws which had long become obsolete; and the operation of which had been suspended by a series of indemnity acts, since the year 1731. When the question of their repeal was brought before the House of Commons, in 1787, Pitt had consulted the bishops, but the whole bench, with the exception of Shipley and Watson, were against the proposal; and Pitt, though with evident reluctance, refused to give up this faded relic of an intolerant age. The motion was rejected by a majority of seventy-eight. Two years after, the majority had dwindled to twenty; but in 1790, while the number of those who were favorable to the removal of the disqualifications affecting Protestant Dissenters remained nearly stationary, the majority had increased to an overwhelming amount.[c] This result was significant, not certainly of a relapse to old sectarian bigotry, but as an indirect expression of the sense of the House of Commons, with reference to the events in France. Dr. Priestley, and other non-conformist ministers, had lately pointed, in terms of exultation, to the downfall of ecclesiastical establish-

[b] 122 to 102.

[c] The division in 1790 was 299 against 105.

ments in the neighbouring State; and the claim of the Dissenters for relief from civil disability, was consequently met as the first step towards the ulterior design of dismembering the Constitution of the country. A cry of '*The Church in danger!*' once raised, is not easily allayed; and it was not until after the lapse of thirty-eight years, that the next attempt was made to repeal the Test and Corporation Acts. Circumstances were then propitious to such a proposal. The Legislature was on the eve of conceding the far more questionable point of Catholic Emancipation; and the epoch of Parliamentary corruption was hastening to its close. Yet, even then, the Government which had just acceded to power, thought it worth while to resist the final repeal of laws, which had been annually suspended for eighty-five years past, and to sustain an adverse vote in the House of Commons on such a question! This very same Government, in the following year, proposed and carried the unconditional repeal of Roman Catholic disabilities. A more remarkable proof of the occasional want of political forecast, even among statesmen of the highest mark, is hardly to be found in history.

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Question of Parliamentary Reform.

But if the time was inopportune for so small a measure of relief as that which the Dissenters asked, a more unfortunate season for renewing the question of Parliamentary Reform could hardly have been chosen. Neither of the party leaders ventured to stir a topic so inflammable at such

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a critical period. But Flood, the Irish orator, who had been connected with this question, not very much to his credit, in the sister island, conceived he had a vocation to take up the great question which Mr. Pitt had thought it prudent, for the present, to lay aside. He introduced the subject in a highly wrought oration, not exactly suited to the taste of the English House of Commons. The benches, which were filled by curiosity, were soon emptied by weariness and disappointment. Mr. Flood's plan was to increase the House by the addition of a hundred members, to be chosen by a county household suffrage. This notable proposal was, however, treated with decency, and underwent the formality of a debate. The motion was disposed of by the adjournment of the House.

Parliament dissolved.

The prorogation was followed by a dissolution of the Parliament which had entered the sixth year of its existence, and would consequently have expired by efflux of time in the following year. This event having, therefore, been foreseen, was looked forward to by the party out of power, with the sanguine hope that it would improve their position. But the impulse which the movement in France had at first given to the progress of liberal opinions in this country had been suddenly checked by the frightful rapidity of the Revolution; and the people of England were more disposed to rally round the throne and their old institutions, than follow an example which was fast leading to anarchy and confusion.

According to ordinary experience of the course of public opinion, a reflux of the impetuous tide which had borne the new Minister to the height of power at the former elections, might have been expected. But the prudent administration of affairs during the six years which had since elapsed, and the advancing prosperity of the country, had confirmed and extended the public confidence in Pitt. Many supporters of the former Ministry had, as usual, passed over to the successful side; and many consistent Whigs, adverse to the principles of the French Revolution, had viewed with alarm the alacrity which the leaders of the party had shown, in giving their adhesion to those principles. Few, indeed, who were not personally interested in a change of Ministry, thought this a convenient time for disturbing the King's Government. The result of the general election was, therefore, an increase of the Ministerial majority. Several prominent Members of the Whig party lost their seats. A remarkable example of the decay of popularity which has no solid foundation, was the failure of John Wilkes to procure his return for Middlesex. The Parliamentary career of this once noted person was thus brought to a close. Wilkes, though his talents and accomplishments were far above those of an ordinary demagogue, never obtained the ear of the House. His Parliamentary efforts were chiefly directed to the removal from the Journals of the celebrated

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Resolution of the 17th February, 1769, which declared his incapacity to sit in Parliament. For successive years, he raised an annual motion on this subject, which was invariably opposed on both sides of the House. At length, in 1784, the House, weary of this antiquated dispute, which had lost all interest, yielded the point without farther struggle, and the obnoxious entry was expunged. When he found that sedition was out of date, Wilkes affected the character of a staunch friend to law and order; and, with amusing effrontery, denied that he had ever been a *Wilkite*. There was, indeed, much truth in this assertion; for at the very time when his professions of patriotism were most loud, he used to take pleasure in scandalizing political puritans and hypocrites, by the cynic impudence with which he avowed his contempt for such professions. The profligacy of his life and conversation were remarkable, even in a dissolute age. The badness of his character, no doubt, was an obstacle to his success in the House of Commons, but will not account for his utter failure. His character was not much worse than that of Fox, and hardly so bad as Sheridan's; but his talents, though eminently suited to influence a mob, and to shine in private society, were not adapted to that fastidious assembly, which has proved the grave of so many reputations founded on the platform and the hustings.

The new Parliament assembled in the autumn,

and an attempt was made to get rid of the trial of Warren Hastings, of which both Houses were weary and somewhat ashamed, by the pretence that the impeachment had abated in consequence of the dissolution. Erskine contended that the point was one for the Lords in their judicial capacity to determine, and that the Commons, as prosecutors, had no power to move further in the business until the law was laid down by the proper authority. It cannot be denied, that this view of the question was plausible, and, according to strict legal analogy, sound. On the other hand, the Speaker, founding himself on the precedents, advised the House that the impeachment was in full force. The precedents, however, were of no great value. The Lords had resolved, on the report of a Committee of Privileges in 1673, that their functions as a Court of Appeal were not determined by a dissolution of Parliament; but this did not settle the question as to the extraordinary proceeding by way of impeachment. The distinct question arose in the next Parliament, the trials of the Earl of Danby and the five popish lords having been interrupted by a dissolution. The Committee of Privileges resolved, that impeachments stood on the same footing as appeals and writs of error; consequently they did not abate. But the decision of the Protestant Parliament of 1679 was reversed by the packed Parliament assembled under the influence of James the Second in 1685. It might be argued, that the latter decision was

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not entitled to much weight; but it was equally open to observation, that the resolution of 1679 was biassed by the strong prejudice against the popish lords. The question, therefore, in 1791 might be said to stand very much on its own merits; and as no political passion interposed in the particular case, to sway the judgment of Parliament, a decision, founded on high legal and constitutional grounds, might be fairly arrived at. The opinion in Westminster Hall was in favour of the abatement. The great legal authorities in the Commons, the Master of the Rolls, the Attorney General, and Sir John Scott, were of that opinion. The Lord Chancellor and the Lord Chief Justice in the Upper House argued against Lord Loughborough, the only Law Lord who opposed the doctrine of abatement. But the majority in both Houses took the more enlarged view of the question. The lawyers argued, that an impeachment was more in the nature of an inchoate parliamentary proceeding, such as a bill or motion, than a legal process; and as a bill of attainder would lapse by a dissolution, so should an impeachment. But this argument proved too much, for a bill was terminated by a prorogation; but the impeachment of Hastings had continued over several prorogations, yet its validity had never been disputed on that account. But, though it was resolved that the impeachment should proceed, the debates on the subject extended over so large a portion of the Session, that little or no

progress in the trial was made during this year. The trial had, in fact, dwindled to a merely formal proceeding, from which all life and spirit had departed. It was necessary to arrive at a result, about which there was no longer any doubt, by slow and tedious stages, which interested nobody, though they were oppressive and indeed ruinous to the accused, who might have to wait for years, as, in fact, he did wait, until the verdict of acquittal, long since agreed upon, should be formally pronounced.

Religious liberty.

Other questions of great importance were agitated with vigour by the new Parliament. The cause of religious liberty, after an interval of twelve years, was advanced a farther, though not a very long stage, by the repeal of a variety of disabling statutes, affecting persons professing the Roman Catholic faith. The benefit of this relief was, however, limited to persons who should abjure the power of the Pope to absolve them from their allegiance, a qualification which was objected to by Fox, on the ground that the exaction of religious tests was contrary to the broad principle of toleration. But opinion was not yet sufficiently liberal, especially as regarded the claims of this class of religionists, for such a concession. The Romanists themselves asked for no more than was offered them by the Bill, and especially disclaimed any idea of seeking admission to civil offices of power and trust. The Bill, which did

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little more than abolish laws which had long been obsolete, gave rise to some curious discussions on religious freedom, but passed both Houses without any serious opposition.

Right of juries to decide as to libels.

Another measure, of far more practical importance, was Fox's Bill for enabling juries to give a general verdict in cases of libel. For many years the press had struggled in vain against the doctrine laid down in Westminster Hall, that the province of the jury was confined to the fact of publication, and the application of the writing as pointed by the inuendoes; but that the character of the publication, whether libellous or otherwise, was exclusively a question for the court. Lord Camden, and some other lawyers, took the popular view of the question; but Lord Mansfield, with the great majority of the judges, supported by the current of authority since the Revolution, maintained the separate functions of the court and jury. The point had been frequently raised in the State trials; and upon a motion for a new trial, on the ground of misdirection, in the great case of the Dean of St. Asaph in 1784, the argument had been stated, with an ability seldom equalled in Westminster Hall, by Erskine, the counsel for the defendant. Lord Mansfield, on that occasion, laid down the law in a judgment of equal ability with the argument at the bar; and from that time the doctrine of the King's Bench was considered settled law.

An attempt had been made twenty years before,[d] under the auspices of Chatham, to settle this question by a Bill substantially the same as that which Fox now introduced. That Bill miscarried in the Commons, in consequence of a disagreement between the First Minister and the Chancellor of the Exchequer; but had it reached the Upper House, it is not likely that the Bill would have passed into a law in the face of the opposition, which it would certainly have encountered, of Lord Mansfield, at that time in the vigour of his authority. But the great Chief Justice no longer dictated law in Westminster Hall; and his successor, Kenyon, an uncouth special pleader, was not listened to in that assembly which the graceful eloquence of Mansfield had swayed for thirty years. The Bill for placing the liberty of the press under the protection of trial by jury, brought in by the Whig chief, appropriately supported by Erskine, and assented to by the son of Chatham, passed the House of Commons almost without a dissenting voice: in the Lords it met with a favourable reception; but Thurlow, in mere waywardness, made a difficulty, and succeeded in postponing the Bill for the Session. In the following year, however, it passed into law.

Wilberforce's motion.

The discussion on the Slave Trade was revived during this Session, and so much progress had the question made by means of agitation out of

[d] Vol. ii. p. 129.

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doors, that the ardent friends of humanity, who, when the matter was first brought before Parliament three years before, thought it prudent to disclaim any intention of seeking more than the prohibition of the trade in slaves, now avowed their ultimate object to be the abolition of slavery throughout the British dominions. Wilberforce, however, on this occasion limited himself to a Bill 'to prevent the further importation of African negroes into the British Colonies.' The arguments in support of the motion were obvious—the injustice, the immorality, the impiety, the cruelty of the traffic. All these considerations were enforced with great power and many striking examples, by some of the ablest men on either side of the House. Both Pitt and Fox supported the motion; but the strength of vested interests, and the indisposition to sudden change, so far prevailed, that the motion was negatived by a majority of seventy-five.

Case of Oczakow.

In this Session, the prosperous and triumphant Minister sustained a reverse on the first important question of foreign policy on which the House of Commons had been called upon to pronounce an opinion since his accession to power. The designs of Russia on the Danubian provinces and on Constantinople have been mentioned. In pursuance of the policy which aimed at the conquest and annexation of Turkey, the Empress in 1788 had taken military possession of the fortress of Oczakow, which commanded the road to Con-

stantinople. This formidable aggression seems to have hardly attracted the attention of the English Government, until an urgent representation was made by Prussia of the danger which threatened the balance of Europe from the aggrandizement of the Russian Empire. Pitt was at length so impressed by a danger, which has long been established as one of the first magnitude in the estimation of modern statesmen, that he determined to check the ambition of the Court of St. Petersburg. Accordingly, in March of this year, he brought down a message from the Crown for a vote of credit. This novel view of foreign policy was most strenuously opposed; for it had ever been the maxim of the Whigs to cultivate friendly relations with the great Northern Power.[e] Circumstances, however, had changed. The avowed intention[f] of the Empress to take possession of Constantinople, and the progress she had made in carrying that intention into effect, in open defiance of the earnest remonstrances of the British Government,[g] was supposed to justify a military demonstration on the part of this nation. But Pitt, in this instance, seems hardly to have acted with his usual pru-

[e] 'Alliances with the Northern Powers ever have been, and ever will be, the system of every enlightened Englishman.'—Fox to Harris, 11th April, 1783.—*Malmesbury Correspondence*, vol. ii. p. 40.

[f] Adolphus's *History*, vol. v. p. 20.

[g] *Ibid.*

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dence. A military menace to a great power like Russia, in the full career of conquest and with vast resources, was likely to irritate, but certain not to deter. War with Russia seemed to be hardly in contemplation; and a war undertaken without alliance, except the doubtful alliance of Prussia, for an object which concerned all Europe, would have been, at the best, but an ill-considered enterprise. The Russian armament was, in fact, a mistake, and disclosed the weak point in the character of the statesman who had conducted the domestic affairs of the country with such signal prudence and success. The Opposition, perceiving their advantage, made a vigorous attack on this project, which was defended with unwonted hesitation on the part of the Government. The country, for the first time during the last six years, shewed tokens of disapprobation; the majorities in the House of Commons were diminished on every successive vote relating to this question; and at length, the Ministry finding their policy was not understood, and that there was no probability of obtaining that support which could alone enable them to interpose with success in an affair of such magnitude, were content to abandon the project altogether. The Duke of Leeds, who held the office of Secretary of State for Foreign Affairs, quitted the Ministry in consequence of this decision. He was succeeded by Lord Grenville, the late Speaker, who had lately been advanced to the peerage. In the

autumn of this year, the Empress of Russia, wishing to prosecute her long-cherished designs on Poland, concluded a peace with the Porte; and thus, for the present, the schemes which threatened a disturbance of the balance of power in this part of Europe were suspended. Ch. 31. 1791

Breaking-up of the Whig party.

This Session, in which so many topics of the greatest interest and importance were discussed, was remarkable also for the separation of Burke from the Whig party, and the consequent disruption of the party itself on the vital question of the French Revolution. In one of the debates on the Russian armament, Fox had taken occasion to pronounce an elaborate eulogy on the French constitution,[h] describing it as 'altogether the most stupendous and glorious edifice of liberty which had been erected on the foundation of human integrity in any time or country.'

The Whig leader had, in addition to this, taken every opportunity, which the license of debate afforded, to allude in terms of approbation to the proceedings in France. Burke, on the other hand, had entered on that great literary and oratorical warfare against French principles and proceedings, which produced a more powerful

[h] Lord John Russell notes the fact, that this eulogy was pronounced some months before the Constitution was called into existence.—*Life of Fox*, vol. ii. p. 251. In this debate on the recommitment of the Quebec Bill, Fox corrected this mistake, but made the matter worse, by saying that his panegyric applied not to the Constitution but to the *Revolution*.

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effect on public opinion in this country than any speeches or writings before or since. The *Thoughts on the French Revolution* had been published in the last autumn, and was in the hands of every man who took an interest in the prodigious events which convulsed the neighbouring country, and agitated civilized Europe. The wide popularity which this book obtained, the enthusiasm with which it was quoted in every society, incensed the democratic party, and dashed the hopes of a section of the Opposition, who, willing to return to power on any terms, had endeavoured to divert the French Revolution to their purpose. Burke, therefore, as the champion of religion and order, was to be borne down by obloquy and clamour. The press, the platform, and even the pulpits of non-conforming congregations, were made use of for the propagation of revolutionary doctrine, and defamation of Burke. In the House of Commons, Sheridan took the lead in this unworthy warfare; and Fox, carried away by the vehemence of his nature, habitually used language which exaggerated his real opinions. At length, the collision, which had been long expected, took place between the two eminent men who had for so many years stood in the front of the great Whig party.

Canada Bill.

Early in the Session, a Bill was introduced by the Government, for the division of the great province of Canada, and for the establishment of a local legislature in each division. This

measure was in itself remarkable, as recognizing, for the first time, the wise and generous principle of independent Colonial institutions, which has since been fully developed in every dependency of the British Crown, capable of local self-government. The line of demarcation, marked by the difference of religion and race, was traced in the division of the province into Upper and Lower Canada. The former was inhabited chiefly by English and American settlers, belonging mainly to different denominations of the reformed faith; Lower Canada being occupied almost exclusively by the old French emigrants, members of the Roman Catholic Church. The main institutions of the mother country, were laid down as the political basis of the Canadian States: Socage tenure of land; an allotment of land in the Upper Colony for a Church establishment; the *habeas corpus* and freedom of taxation. Provision even was made for the foundation of hereditary chambers, by titles of honor which should descend like Peerages in this country. The creation of an aristocracy by Act of Parliament, was, however, soon found to be impracticable; and this part of the scheme has never been carried into operation. The creation of an ecclesiastical establishment, by the appropriation of a part of the territory of Upper Canada in mortmain was hardly adapted to modern ideas, or to the exigencies of a rude and scattered population; the clergy reserves, therefore, were strongly

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objected to by the Canadian people, and were a cause of strife between the Colony and the Imperial Government, until they were finally abandoned to Colonial legislation by the Act of 1853. On the whole, however, the Quebec Bill was a plan worthy of the Minister who conceived it, and constitutes one of his titles to the enduring reputation of a statesman.

Opposition of Fox.

The Bill passed through its earlier stages without opposition, and almost without discussion; but on the report, Fox, for the sake of repeating and enforcing the French creed of freedom, which he had adopted with the zeal of a proselyte, moved the recommittal of the Bill. He complained that the Bill had not been framed on the new model of liberty; that the proposed assemblies of the provinces would not sufficiently provide for the representation of the people; that the duration of the provincial parliaments should be annual or triennial; and that the qualification of the electors was too high. He inveighed against the introduction of titles of honour and hereditary rank; antiquated distinctions which might be tolerated in old countries where they had long existed, but were unsuited to communities constituted on modern principles. He sneered at Burke's famous lament over the fall of chivalry,[1] and deprecated the revival in Canada of those odious artificial distinctions which had been ex-

1 *Reflections on the Revolution in France*, vol. iii. p. 111., 4to. edit.

ploded in the country from which that colony derived its origin. Ch. 31. 1791

Burke was not present at the delivery of this speech, which, though ostensibly on the Quebec Bill, was really levelled at the writings and speeches of the great Conservative orator. On the re-committal of the Bill, Burke determined to reply to the attack which had been made upon him in his absence. On the day when the Bill was to come on, before the House met, Fox, who had lately shunned the society of Burke, visited his old friend, and a long and earnest conversation took place between these two great men before they separated for ever. Fox, whose warmth of heart was his redeeming virtue, could not contemplate without emotion the dissolution of a friendship which had been uninterrupted during the vicissitudes of twenty years. He endeavoured, therefore, to dissuade his old colleague from taking this opportunity of broaching the subject of the French Revolution, a request which was hardly reasonable, after the course he had himself taken. Burke refused to comply, and gave Fox the outline of the speech he intended to make. The friends walked down to the House together for the last time; but this being the last day before the adjournment for the Easter recess, they found the question had been postponed.

Quebec Bill.

Fox's visit to Burke.

On the 6th of May, the Bill was re-committed; and no sooner had the Chairman taken his place at the table than Burke rose, and plunged at once

Burke's violent speech on the Quebec Bill.

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into the subject of the French Revolution. For a time he shaped his remarks with such a reference to the question before the Committee, as kept him tolerably within the line of order; but he soon forgot Canada, and launched into an invective against the doctrines of the Rights of Man. From thence he passed to a description of the indignities offered to the King and royal family of France by the Parisian populace; a topic which had no bearing whatever on the affairs of Canada. He was therefore called to order. This was the commencement of a scene of confusion and excitement, the like of which has probably never since been witnessed in the House of Commons. Mr. Baker, who spoke to order, was content to object to the irrelevancy of the line of argument upon which Burke had entered, and called upon the Chairman to state the question; but Fox, who, notwithstanding his much-vaunted good nature, was throughout his parliamentary career singularly intolerant, acrimonious, provoking and personal in debate, interposed in a manner calculated to disturb the equanimity of any man, and certain to irritate Burke beyond control. He affected to defend the course which Burke was taking; 'this,' said he, with bitter irony, 'was a day of license, on which any gentleman might get up, and abuse any Government he pleased. To be sure, the French Revolution had no more to do with the question before the Committee than the Government of Turkey, or the laws of Con-

fucius; but what of that?' Stung by the taunt, Burke retorted in anger, and compared his position with that of Cazales, the great Conservative orator of the National Assembly, whose voice was always drowned by the clamour of the friends of liberty. Here he was again interrupted by Michael Angelo Taylor, a silly member, who had long been the laughing-stock of the House. Pushing this interloper aside, Burke went on for a few minutes, when Mr. St. John, a gentleman of some weight in the House, and who occasionally filled the Chair at the table, put it to Burke, that he should seek an occasion when he might fairly bring the subject of foreign affairs under consideration. Burke, however, persisted for some time longer, when he was again called to order by Mr. Anstruther, who was himself called to order by Colonel Phipps. Burke still persevered, but was met by loud calls for the Chair from the Opposition, answered by equally loud shouts of 'Hear!' from the Ministerial side. An angry debate ensued, in which Fox, Grey and Pitt, took part. At length, Lord Sheffield, acting on a suggestion thrown out by Pitt, moved 'That dissertations on the French Constitution, and to read a narrative of the transactions in France, are not regular or orderly on the question, and that the clauses of the Quebec Bill be read a second time.' This amendment, however, was calculated to defeat the object of the mover. A dextrous and practised debater could easily avail himself of such a question as this to

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Lord Sheffield's motion.

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introduce the very topic which it was intended to exclude. Pitt, in speaking to the motion, observed, that it was important to discriminate between a point of discretion and a point of order; and though he could have wished that a more fitting opportunity had been taken to discuss the late proceedings in France, he could not say that an allusion to the constitutions of other countries was altogether foreign to the question of a new constitution for Canada. Fox, whose impetuosity was only less impatient of restraint than that of Burke, now broke over the bounds of order, and dashed off in defence of the French Revolution. To make the inconsistency and irregularity of the whole proceeding complete, he did this in seconding Lord Sheffield's motion for confining the debate to the subject before the Committee. He maintained, that the rights of man were the foundation of every sound political system, and that he had first learned this doctrine from Burke himself. He rejoiced that France had founded her new constitution on this principle, on which the British constitution was founded. He charged Burke with deserting his principles, and, quoting a fine expression of his own with reference to the American War, with drawing an indictment against a whole people.

Burke's reply to Fox.

When Fox sat down, Burke rose slowly from his seat. For some years past, he had almost lost the ear of the House. His want of taste and temper had revolted an assembly singularly patient

of dulness and folly, but intolerant of offences against good manners. His conduct on the Regency Bill had sunk him so low, that it seemed hardly possible he should ever recover any influence either in the House or in the country. His violence against Hastings had shocked every person who respected the English virtues of justice and fair play. His opposition to the French Commercial Treaty, so utterly at variance with the sound doctrines of political economy which he had enunciated a few years before, seemed to indicate a decay of his faculties, rather than a change of his opinion. But the Indian speeches were sufficient to refute this idea, and proved that, with a fitting topic and adequate preparation, his oratorical power and grasp of intellect were unimpaired. On these special occasions, the great rhetorician could still command an audience; but in the height of his reputation, when it was known that Burke was to make a great speech, his rising had never been looked for with more eager expectation than was manifested on this '6th of May, which was to commemorate the division of the Whig party into two sections; the one embracing the new doctrines of French democracy; the other adhering to the old English principles of constitutional liberty.

Coolness between Burke and Fox.

Burke spoke for some minutes in a subdued tone, as resolved that no intemperance of language should injure the cause which he had most at heart. He said, though he had been frequently

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called to order, he had listened, without interrupting it, to a speech, the most disorderly perhaps that had ever been delivered within those walls. He complained that a personal attack had been made upon him by one of his oldest friends; that his language and conduct had been misrepresented; that not only his public acts, words and writings had been arraigned, but that even *confidential conversation* had been divulged, for the purpose of convicting him of inconsistency. After touching cursorily on French affairs, he returned to the difference between himself and Fox. He reviewed the subjects on which they had disagreed, during the twenty-five years of their political connection and private friendship. Of these, Parliamentary Reform, the Dissenters' question, and the Royal Marriage Act were the chief; but differences on such matters had never for a moment interrupted their friendship. It was indiscreet, he said, at any period, and especially at an advanced time of life, to provoke enmity, or to risk the loss of friendship; but if his fidelity to the British Constitution placed him in such a dilemma, he would risk all, and his last words should be, 'Fly from the French Constitution.' At this point, Fox interrupted, with an eager whisper, 'There was no loss of friends.' 'Yes,' said Burke, in a loud voice, 'there *is* a loss of friends. I know the penalty of my conduct. I have done my duty at the price of my friend — our friendship is at an end.' He then,

as though he were himself taking leave of the scene, adjured the two great rivals in that House, whether they moved in opposite spheres, or walked like brethren, hand in hand, to guard the British Constitution.

Fox's complaint against Burke.

Fox immediately rose, but so great was his emotion, that he could not utter a word; nor was it until tears had come to his relief, that he was enabled to proceed. He complained, in broken accents, that a friendship of more than twenty years should be terminated by a difference of opinion on a political question. They had differed on other matters without disturbing their friendship; why not on this? He complained that Burke had held him up as professing republican principles, and had applied ignominious terms to his conduct; but when Burke denied this, Fox, willing to grasp at the slightest overture of returning kindness, declared that such expressions were obliterated from his mind for ever; and alluding to Burke's complaint of the frequent interruptions he had received, affirmed that he had done everything in his power to discountenance such conduct.

Severance of Burke from Fox's party.

Burke, in his reply, plainly intimated that all hope of a reconciliation was at an end. His feelings were too much involved with his opinions on this all-important question, to admit the intercourse of private friendship with a man who upheld revolution and anarchy, in their most hideous aspects. He spoke without passion;

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but reiterated his former sentiments with a solemn and fervid earnestness, which made a deep impression on the House. Pitt concluded this remarkable debate, with some high compliments to Burke, who was thenceforth to be considered a supporter of the Administration.

Fox inclined to retract.

The subject was renewed a few days after at the next sitting of the Committee on the Quebec Bill. On that occasion, Fox shewed a marked desire to qualify, and even retract many of the extravagant sentiments which he had uttered with reference to the French Revolution. He pronounced a laboured panegyric on the aristocracy, which he described as the balance of the Constitution; maintaining the mean between monarchy on the one side, and democracy on the other. His former speeches on the subject of the French Revolution were, both in sentiment and expression, such probably as no demagogue in the present day would venture to address to the House of Commons; this speech was of a kind which a very high Tory would hardly now give utterance to in a debate on a Reform Bill. The truth was, that many of his followers in both Houses, had intimated their disapproval of the democratic opinions lately ventilated by the Whig chief, and were desirous of preventing the breach, which the secession of Burke on a question of such moment was likely to produce in the Whig party. Fox, himself, began to think he had gone too far; hence his sub-

dued tone on the 11th of May. But it was too late; the breach had been made, and was irreparable; not only had the old Whig Statesman been attacked in Parliament; but the Revolutionary press, a portion of which was under the control of the Opposition leaders, had opened upon him, as their most formidable foe, the battery of slander, menace and scurrility. Burke, therefore, was not to be propitiated by a few phrases, such as might have fallen of yore from the lips of George Grenville, or of John, Duke of Bedford. On the contrary, he was rather disposed to repel any overture from his old allies, as an attempt at compromise, which would deprive him of the power effectually to resist that irruption of democracy, which threatened to destroy the ancient institutions of the land. Deep resentment had taken possession of his soul. The hootings and interruptions in the House; the sharp-pointed attacks of Fox, Sheridan and other Members of the Opposition; the clamour and mendacity of the declaimers, pamphleteers and news-writers out of doors; of all these he bitterly complained, as the result of a conspiracy to ruin his reputation, and cover his age with infamy. He defended his consistency, and said that he now supported the monarchy, not because it was better than aristocracy or democracy, but because it was assailed and put in peril. He was told, that if he would repent, he might be received again by the party which

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had discarded him. 'But,' said the proud old man, 'though I have been disgraced in my age, I am content to stand alone; I seek not the friendship of the right honorable gentlemen, or that of any man on either side of the House.'

Close of the Session.

The Session was brought to a close on the 10th of June; but the great controversy which had agitated the House of Commons was not wholly abandoned to the meaner spirits of the platform and the press. Burke himself took advantage of a formal announcement that had been made in the principal journal of the Opposition,[j] that he had been repudiated by the party, to publish a sort of supplement to his work on the French Revolution, under the title of 'An Appeal from the New to the Old Whigs.' The principal work had excited an amount of enthusiasm such as no publication before or since has created. The sale, at a price, which was never lowered, reached thirty thousand in a few weeks. The replies were numerous; but none of them are remembered except the 'Rights of Man,' by Thomas Paine, and the 'Vindiciæ Gallicæ,' by Macintosh. The former writer had gained reputation in America during

Seditious publications.

[j] 'The great and firm body of the Whigs of England, true to their principles, have decided on the dispute between Mr. Fox and Mr. Burke; and the former is declared to have maintained the pure doctrines by which they are bound together, and upon which they have invariably acted. The consequence is that Mr. Burke retires from Parliament.'—*Morning Chronicle*, May 12th, 1791.

the War of Independence, by the vigour of his attacks on the British Government and on monarchical institutions. The famous Declaration of Independence, on which the Constitution of the United States is founded, was drawn up from the writings of Paine. The author of the 'Rights of Man' undertook to shew that both monarchy and aristocracy were incompatible with those rights; he intimated, also, that religion was open to the same objection; and he held up the French Constitution as a model of government which realized the theory of political truth and justice. The book was written in a plain and forcible, though a coarse and unlettered style. The tone, the arguments and illustrations were exactly calculated to please the vulgar, the envious and half-educated. By this class of persons, therefore, the author was received as an apostle; but it does not appear that he made many converts. On the contrary, his work, assailing as it did every established institution with unbounded ribaldry and insolence, reacted in favour of religion and order. The writings of Paine have probably done as much as the writings of Burke to bring republican doctrines into disrepute, and to confirm well-disposed people in their attachment to the old institutions of this country. The work of Macintosh was one of a very different character, as Macintosh was a very different man from Paine. The 'Vindiciæ Gallicæ,' though it defended the principles, and excused the errors and

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even the crimes of the Revolution, was nevertheless a book which a man of taste and candour might read without disgust. The author was an obscure student of law, but he wrote in the spirit of a scholar and a gentleman; Burke sought the acquaintance of his able and candid opponent. A friendship soon sprung up between these generous disputants; and, in after years, when Sir James Macintosh was recognised as one of the wisest and best of the Whig party, he revered the memory of the illustrious adversary whom he alone, of all the writers of the day, had assailed with success, and like many other candid controversialists, ended in the faith which he had formerly denied.

Revolution society.

The democratic party were not content with recommending their doctrines by the agency of the press. They sought to take advantage of an opportunity so favorable, to precipitate a revolution in this country, and to found a republic on the ruins of the altar and the throne. For this purpose, associations were organized in connection, and in direct correspondence, with the political clubs at Paris. The Revolution Society, an old connection principally of Dissenters, formed to commemorate the principles and the transactions of 1688, had, in 1789, been abused to the purposes of the modern revolutionists, by some of the earliest admirers of French liberty in this country. The Revolution Society, which had of late years fallen into decay, held its anniversary meeting at the London

Tavern, on the 4th of November, in the first year of the French Revolution. Earl Stanhope, a peer remarkable for his eccentricities, took the chair, and an address of congratulation to the National Assembly of France on the triumph of liberty and justice over arbitrary power, was voted by the society. In the morning, Dr. Price, the well known and able Presbyterian minister, who had gained so much reputation by his scheme for the payment of the National Debt, and who had moved the address to the National Assembly, delivered a political sermon to his congregation in the Old Jewry. This strange discourse promulgated constitutional doctrine as unsound as the financial dogmas which had made the name of the preacher famous. Other friends of freedom had been content to recommend the adoption of the French code of liberty as a new and brilliant discovery in political science; but Dr. Price undertook to prove that it was nothing more than a development of the principle established by our revolution a century before. By that revolution, it seemed that it was intended to establish the right of the people to choose their rulers, to retain them only during good behaviour, and to change the government at their pleasure. Whatever may be urged in support of these positions, it is certain that they derived no authority from the statesmen who framed the settlement of 1688, who were studious to avoid speculative and abstract questions of government. This was demonstrated

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by Burke in his great work with the amplitude of argument and illustration which he possessed. But the Revolution Society was not sufficient even for the purposes of the Opposition. Another association, called the Friends of the People, was formed under the direction of Mr. Grey and other leading Whigs, for the express purpose of promoting the cause of Parliamentary Reform. Fox, who had learned, from the example of France, the effect of these clubs in superseding Parliament, and diverting public opinion into a channel over which the House of Commons would have no control, expressed his disapprobation of them;[k] but he had not sufficient firmness to resist a movement to which his friends had already committed themselves. Other clubs, affiliated to the clubs in Paris, were established in London and the principal towns in Great Britain. The proceedings of one of these associations, called the Unitarian Society, consisting of persons belonging to the denomination of dissenters which its title imported, led to disastrous consequences. Dr. Priestly, a teacher of the Unitarian persuasion, a pious and learned man, though of extreme political opinions, had lately employed himself in propagating the revolutionary doctrines at Birmingham, where he resided. He seized the occasion of the death of Dr. Price, who first set the example, which had been extensively followed, of

[k] Lord J. Russell's *Life of Fox*, vol. ii. p. 281.

making the dissenting pulpit available for the dissemination of the new political faith, to preach a funeral sermon, holding up the American and French republics as models for imitation in this country. The people of Birmingham, who were, for the most part, still attached to the old-fashioned principles of Church and King, resented an attack upon the fundamental institutions of the country, which they considered alike indecent and unwarrantable. A bitter animosity, such as religious differences frequently create, had long raged between the adherents of the Establishment and the dissenting body in Birmingham; the latter were in possession of most of the municipal offices, and churchmen were practically disqualified from any participation in the local government. The agitation for the repeal of the Test Act in the preceding year had, consequently, caused greater excitement at Birmingham than in any other part of the country; and the open union of dissent with democracy, as promulgated in the sermon of Dr. Priestly, irritated and alarmed the public feeling in that town to a degree which indicated the probability of an outbreak upon any farther provocation. This provocation was unhappily supplied by an indiscreet announcement on the part of the Unitarian Society, at the instance of Dr. Priestly, of their intention to celebrate the anniversary of the destruction of the Bastille, which was held to be the inauguration of the French Revolution, by a public

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festival in the town of Birmingham. The meeting was preceded by inflammatory handbills, distributed as the projectors asserted, not by themselves, but by their opponents, for the purpose of discrediting their intentions. It was in vain, however, that the promoters of the meeting disavowed all connection with the offensive handbills; a strong feeling against the Dissenters was manifested through the town; and the principal persons concerned in the arrangement of the dinner were disposed, under the circumstances, to relinquish their purpose. But the counsels of the rash and violent, as usual in such matters, prevailed; and though many of the respectable persons who had been engaged in the preliminary proceedings, and among them Priestly himself, refused to attend the celebration, a diminished number of about eighty persons assembled on the appointed day, the 14th of July. A great crowd gathered outside the building, and assailed the guests as they arrived with hootings, execrations, and shouts of 'Church and King!' The crowd increasing in number and excitement, the dinner-party was abruptly terminated, and the company separated at an early hour. The populace having demolished the windows of the hotel, dispersed, intent on mischief and plunder. A Dissenting Meeting-house was set on fire; another was pulled down. One portion of the mob proceeded to the house of Dr. Priestly in the suburb, and set it on fire,

the family having barely time to make their escape. The library, philosophical apparatus and manuscripts, containing the labours of a life devoted until lately to scientific investigations, were utterly destroyed. The houses of several other obnoxious persons were, in like manner, burned or battered down. The riots continued, without effectual interruption from the civil power, from Thursday until Sunday night, when the exhausted rabble were suppressed by a small military force. The damage done during these three days was only measured by the physical capacity of the mob. Not only were numerous houses in the town plundered and destroyed; but several country houses of wealthy individuals were wholly or partially demolished. It was said, that the movements of the mob were directed by persons of superior station; that they were incited by the clergy, and even that the magistracy were unwilling to interfere; but no proof of these allegations was offered either in a Court of Justice, or before the Parliamentary Committee which enquired into these disgraceful transactions. The rabble of a large town are always ready to take advantage of any excuse for riot and plunder. The disturbances no doubt originated in political and religious dissension; but the riots of Birmingham in 1791 had as much to do with the cause of Church and King, as the riots in 1780 had to do with the maintenance of the Protestant faith.

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Twelve persons only suffered the penalties of the law for these outrages. Three were executed; one was pardoned after sentence; the others were punished according to the degrees of guilt proved against them. The rioters who perished in the flames they had raised, and who died of intoxication, were far more numerous than the convicted offenders. The persons whose property had been injured or destroyed, recovered damages from their respective hundreds, to the aggregate amount of about twenty-seven thousand pounds. But no compensation could repair the losses of Dr. Priestly, and Mr. Hatton, the mathematician. Such, however, was the exasperated state of party feeling, that the misfortunes of these respectable persons were regarded more with exultation than sympathy by those who were opposed to their religious and political opinions. Dr. Priestly appealed to the public both by speeches and writings; but his complaints attracted little notice, and he soon after retired to the more congenial region of the American United States.

CHAPTER XXXII.

ANTICIPATION OF PROLONGED PEACE — THE 'FRIENDS OF THE PEOPLE' — PROCLAMATION AGAINST SEDITIOUS PUBLICATIONS — THE SLAVE QUESTION — INVASION OF FRANCE BY THE GERMAN POWERS — ITS EFFECTS ON THE REVOLUTION — SCHISM IN THE WHIG PARTY — THE MILITIA CALLED OUT — THE ALIEN BILL — RUPTURE WITH FRANCE — DECLARATION OF WAR.

THE Session of 1792 was opened under circumstances of extraordinary prosperity and promise. A surplus revenue, little short of a million, bore testimony at the same time to the increasing wealth of the country, and to the prudence with which its financial affairs had been administered; while so confident was the Government in the maintenance of peace, that they took the somewhat unusual step of recommending, in the speech from the Throne, a reduction in the military establishments, and a corresponding remission of taxation.

Surplus Revenue.

The Opposition, unable to controvert the facts contained in the Royal speech, and agreeing with the Government, that the state of Europe warranted a return to a peace establishment, directed their censures chiefly against the abortive pre-

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paration of the previous year. It was not often that Pitt had afforded his opponents a fair opportunity of assailing him; the Russian armament was, indeed, the only considerable blunder he had committed during the six years of his administration. The policy of resisting the settlement of Russia on the banks of the Bosphorus has been long recognised by every Court in Europe, as essential to the balance of power; but in the last century it was considered, that the expulsion of the Turks from Christendom was a consideration of far greater moment than the aggrandizement of the savage monarchy, which already spread over nearly half the Continent. Pitt's resistance to the grand scheme of conquest, projected by the Russian potentate, in fact, proved that he was the only statesman of the day who foresaw the drift and consequence of the policy of St. Petersburg; but he should have seen, also, that it was hopeless to resist a plan well matured, and urged with great force of will, unless he could obtain the concurrence of the other great Powers, and enlist the public opinion of this country in his support. A small vote of credit, and the equipment of a few ships of war, were hardly a sufficient demonstration to arrest a huge military despotism in its career of conquest, and to set an example which the great powers of Europe might safely follow. It must be admitted, that this inadequate attempt was justly censured; it exposed the impotence of this country to check

the ambition of Russia, and deprived the British Government of all moral power either in restoring peace to Europe, or in prescribing the terms on which that peace should be concluded. Catherine desisted from the consummation of her purpose, not because she was deterred by the disapprobation of Great Britain, but in order to complete another scheme of spoliation, upon which she had long been bent—the final extinction of the liberties of Poland. It was in vain, however, that the Opposition exposed the want of calculation, with which the Government had entered on this project, and the undignified precipitation with which it had been abandoned. The argument was on their side; but the matter was at an end, and already half forgotten, amid the excitement of more stirring scenes abroad and at home. The confidence of Parliament and the country in the most successful Minister of modern times was not to be shaken by a single error. The majorities in the House of Commons, recovered the balance[a] which had been for a moment lowered by the Russian armament; and the people took little heed of the censorious eloquence of Fox and Sheridan, on an affair which had passed into history.

The Budget.

The financial arrangements of the year were based on the assumption, which none disputed,

[a] On a motion by Mr. Whitbread, condemnatory of Ministers for their conduct in the affair of Russia and Turkey, the division was 244 to 216.

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of uninterrupted peace. A moiety of the available surplus was, therefore, applied to the liquidation of the standing debt, and the other moiety to the diminution of the public burdens. In fifteen years, said Mr. Pitt, the period prescribed for the accumulation of the Sinking Fund would cease; and there never was a time, when, from the situation of Europe, we might more reasonably calculate on fifteen years of peace. But his expectation of peace was as ill founded as his expectation of paying off the National Debt by means of his Sinking Fund. Within a year after these words were uttered, under the auspices of the Minister who hazarded such a confident prediction, England had entered on the longest, the greatest, the most costly, and the most doubtful war she had ever undertaken. It was not until an advanced period of the session, that the discussion relating to the affairs of France, and their bearing on the domestic policy and constitution of this country, was revived. A notice by Mr. Grey, acting as the organ, and by the express authority of the association styled the 'Friends of the People,' of his intention to bring forward the question of Parliamentary Reform, gave rise to a conversation in which Pitt, Fox and Burke took significant parts. The Minister wisely thought that the reform of our representative system should not be undertaken at a time when it would be connected with new and foreign theories, which had been adopted wholly

or in part by the advocates of reform out of doors, and by many members of the House. Fox, on the other hand, took credit for his adherence to the cause of reform, and taunted his adversary with inconsistency,—as if consistency in public affairs was a virtue, not to be qualified by any consideration of circumstance or opportunity. But almost in the same breath in which this taunt was uttered, the Opposition leader plainly intimated, that the time was not convenient for the agitation of such a question. He said he had not joined the Society of the 'Friends of the People,' for though he saw the grievances, he did not see the remedy; and he expressed his disapproval of the course which Mr. Grey had been advised to take. The appalling progress of the French Revolution, not to say the sense of the party which he led, had materially abated the ardour with which Fox had hailed the earlier stages of an event apparently of such glorious promise to the friends of freedom. Burke, no longer provoked by extravagant eulogies on the French Constitution, also spoke in a more subdued tone. His speech was principally in condemnation of the societies which had been formed in this country, in connection with the political clubs of Paris; and upon this point, there was no material difference of opinion between himself and Fox. Sheridan, Erskine, and others, defended the associations of which they were members; but the more

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judicious friends of free institutions and Parliamentary government, viewed with alarm the erection of a new and irresponsible organization, which could have no other object or tendency, than to control the action of Parliament, and usurp the legitimate expression of public opinion. Windham and Powys declared their dissent from a motion for Parliamentary Reform, brought forward at the instance of a democratic club; these eminent men were followed by others of less political note, but of great social position; among them was Lord North, who had taken the principal part in negotiating the famous coalition between his father and the Whigs. As if to make this secession more remarkable, a foolish member who had hitherto voted against reform, announced his conversion to the opposite opinion. The debate, though it had no immediate result, as there was no motion before the House, shewed the determination to resist, at the outset, the attempts of an insolent and tyrannical democracy to overbear the Parliament, and to destroy the Constitution of this country.

Seditious publications.

Encouraged by these manifestations of adherence to the cause of order and free institutions, the Government ventured on a bold measure. They determined to issue a proclamation, reciting that seditious writings had been circulated, for the purpose of bringing the laws and institutions of the country into contempt; and that corre-

spondence had been opened with persons in foreign countries to forward these criminal purposes. The people were, therefore, warned against such attempts; magistrates were required to discover the authors and publishers of such seditious writings; and the different officers charged with the execution of the laws were commanded to suppress and prevent riots and disorders, and to give information to the Secretary of State.

Conduct of the French Minister.

The draught of the proclamation was communicated to the principal members of the Opposition before it was promulgated; and through this channel, probably, a copy reached the hands of Chauvelin, the French Minister Plenipotentiary, who had been lately accredited to London in the name of His Christian Majesty. Upon this information, the Frenchman took a proceeding unprecedented in diplomatic transactions. He addressed a note to Lord Grenville, the Foreign Secretary, remonstrating against the publication of the document as injurious to his country, and requesting the Minister to communicate his note to both Houses of Parliament. Whether this extraordinary paper was dictated by ignorance or insolence, or a combination of both, may be doubtful; but Grenville returned the only answer which it was capable of receiving. He said, that his duty was to lay any note from a foreign minister before the King, and to take His Majesty's commands; that the deliberations of Parliament, with reference to questions of domestic policy were matters with which diplomatic correspondence had

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no connection, and upon which he could enter into no discussion with the representatives of foreign courts. Notwithstanding this rebuke, the offensive demand was repeated, though in terms of civility, and with professions of goodwill.

Address to the Crown.

A loyal Address to the Crown, with reference to the proclamation, was moved in the Commons by the Master of the Rolls, and seconded by Mr. Powys, who had until lately taken a leading part with the Opposition. The debate was conducted with much bitterness. Grey moved an amendment to the Address, condemning the policy and denying the necessity for the proclamation. He angrily reproached the Minister with an intention to foment discord among the party opposed to him, and arraigned his whole public life as a series of inconsistencies, hollow promises, delusion and apostasy. So offensively violent was Grey, that he was repeatedly called to order by a House far more tolerant of personality than the Parliament of the present day. The rest of the debate turned very much on the writings of Paine, whose revolutionary doctrines, enforced by a vigorous and popular style, had attained a wider circulation than the works of ordinary libellers. The writings of Paine in former years, when he was an American colonist, had been mainly conducive to the Declaration of Independence, and had greatly aggravated the breach between the Colonies and Great Britain. His more recent residence in Paris, and his intimate alliance with the leaders of the French Revolution,

altogether rendered him one of the most formidable of the demagogues who have, from time to time, disturbed the country. Fox thought it prudent to disavow all connection with this man, and to express reprobation of his theories. Grey's amendment was negatived without a division. Ch. 32. 1792

The Address in the Lords afforded a fitting opportunity to the Prince of Wales to present himself before that assembly for the first time. His speech was such as became his high position; he declared his unqualified adherence to the laws and constitution of the country, and deprecated in the strongest terms the wild ideas and seditious publications against which the proclamation was directed. This declaration was received with applause. It was satisfactory to be assured, that the principles which Fox and Sheridan had espoused were not such as the Heir-apparent could sanction. The Prince's Speech.

The Slave question, which had now taken its place as a question of the first magnitude, was revived this Session. The friends of the negro, animated by enthusiasm in the cause they had undertaken, kept the subject before the public by every means which zeal and energy could devise. So effectual were their exertions, that upwards of three hundred thousand persons were induced to deny themselves the use of sugar, because it was the produce of slave labour. More than five hundred petitions, many of them numerously signed, and by persons of all classes, were presented to Parliament, praying for a total abolition Exertions of the Anti-Slavery Party.

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of the slave trade; and on the 2nd of April, Wilberforce made a motion to that effect in the House of Commons. It is needless to recapitulate the facts and arguments which were adduced on either side. The advocates of abolition were justly charged with exaggeration and credulity; the opponents were, in like manner, open to the imputation of denying facts which were capable of proof. But the real question was little affected by the matters most hotly disputed. Whether the slaves were criminals condemned by the laws of their country, and doomed to transportation and loss of liberty, according to the extravagant assertion of the persons engaged or interested in the trade; or whether they were unoffending natives torn from their homes, as the abolitionists maintained to be invariably the case, were only subordinate considerations. The real question was, whether a civilized and Christian country could defend a traffic of this character under any circumstances. Pitt put this argument with great force and perspicuity. But, on such a subject, arguments addressed to the senses and the imagination were far more effective in moving the gross mass of public opinion, than arguments which appealed only to the understanding. Accordingly, Mr. Wilberforce and Mr. Clarkson produced a far greater effect on the people of this country by highly-wrought pictures of the cruelties inflicted on the negroes and the horrors of the middle passage, than Pitt and Fox produced on

the House of Commons by demonstrating, that the traffic in human beings was indefensible on any ground of natural right or municipal law. The arguments of the abolitionists went far beyond the specific proposition; if they had any validity, they proved that slavery itself, as well as the slave trade, should be abolished. This was admitted by all candid disputants; but the abolitionists disclaimed any intention of taking away the property of the planter. Even the most zealous friend of the black man professed to contemplate no more than his gradual emancipation. An immediate liberation of the slaves would not only have ruined the planters, but in all probability have caused a servile war. But the powerful interests involved in slave labour succeeded for many years in defeating the combined efforts of reason and sentiment—powerful agents, either of them, and seldom found in alliance. The slave trade was not declared illegal until the year 1807; and the emancipation of the negroes throughout the dominions and dependencies of the Crown was not completed until 1833.

Motion to repeal the Test Acts.

A motion by Fox, made at the instance of the Unitarian dissenters, not for the redress of any specific grievance, but rather with a view, which the non-conformist body had lately manifested, of provoking a renewal of the old quarrel with the Establishment, gave rise to some animated debate. Burke, who recognized the hand of Priestly in this motion, broke forth in a violent invective against that respectable philosopher and narrow-

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minded politician, who appeared to his vision only as the Birmingham incendiary. He treated the motion as an attack on the Church; and he connected the attack on the Church with the systematic invasion on all the institutions of the country by the party in connection with the French revolutionists. The ostensible object proposed by Fox was the repeal of certain obsolete statutes, which no one wished to revive; but the dissenters were at this time in bad repute with the House, and the motion was rejected by a large majority.[b]

A still more unsuccessful attempt was made by the Opposition to connect the Birmingham riots with misconduct of the magistracy, arising from political bias; and to charge the Government with a wilful failure of duty in neglecting to prosecute the offenders, and in screening those who were convicted. The answer of Dundas, the Secretary for the Home Department, was conclusive on these points, completely exonerating the Government and the administration of justice, from the rash imputations cast upon them. The motion obtained only forty-six supporters in a House of two hundred and thirty-five members.

During the year 1792, the Revolution in France advanced rapidly to its crisis. The Assembly had become almost as powerless as the Crown; and the government of the country had passed into the hands of the municipalities and clubs of Paris.

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[b] 142 to 68.

These again were under the control of a few daring and bloodthirsty anarchists, who intimidated both the Legislative and the Executive by means of the populace. On the 20th of June, an armed rabble, secretly instigated by the infamous Orleans, who had assumed the name of Egalité, and led by a butcher and a prostitute, burst into the Assembly. The multitude, after remaining two hours in the hall, shouting, singing, dancing and menacing the terrified legislators, departed for the palace of the Tuileries. The guards, unable to resist, suffered the obscene rabble to make their way to the royal apartments. The King was loaded with insult. He was compelled to drink the health of the people, and the red cap of liberty was placed upon his head; but no personal injury was inflicted on him. The Queen, being the especial object of popular hatred, was prevented by her attendants from taking her place by the side of the King; and the Princess Elizabeth, who was mistaken for Her Majesty, had nearly fallen a victim to the murderous fury of the mob.

Negotiations with Austria and Prussia.

The regal authority being thus annihilated, and the lives of the royal family threatened, a secret negotiation was opened with the Emperor and the King of Prussia, by an agent of Louis. The result was a resolution by the courts of Vienna and Berlin to march an allied army into France.

A manifesto had been prepared by Mallet du Pan, the agent referred to, justifying the invasion in

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guarded terms, as directed not against the French people, but only against that portion of them who usurped the government, and coerced the King. But the Allies, rejecting these modified terms, issued a proclamation so insolent and sanguinary, as to leave the French people no alternative but to prepare for defence against the foreign foe. It would have been hardly possible, perhaps, for an invader to frame any justification of an act which should disguise its real character; Mallet du Pan would, therefore, have failed, no less than the Duke of Brunswick, in persuading the French people to welcome the armies of Austria and Prussia as their deliverers from domestic tyranny; but a proclamation which threatened proscription and martial law at once suspended civil dissensions, and united the whole nation against the common enemy. It was in vain that Louis endeavoured to disconnect himself from this rash proceeding; in vain did he seek publicly to discredit the authenticity of the proclamation, and, by urging the vigorous prosecution of a defensive war, to allay the indignation which had been excited against him as a traitor to his country. A new Revolution, more dreadful than the former, was the immediate consequence of the threatened invasion. There was an insurrection at Paris; the populace rushed once more to the Tuileries; the guards, with all the attendants, were massacred; the King and royal family sought refuge in an apartment within the walls of the National

Assembly; from thence they were conveyed to the Luxembourg, and finally to the prison of the Temple—their last abode on earth. Ch. 32. — 1792

A proclamation, such as that which the commander of the allied armies had been advised to promulgate, should have been followed up by prompt and vigorous proceedings; but the allies lingered for several weeks; nor was it until late in August that they crossed the French frontier. The fortified towns of Longwy and Verdun successively surrendered after a short resistance; and it was announced at Paris, that the Prussians were marching through the Ardennes, by way of Chalons, on that city. Dilatory proceedings of the Allies.

This intelligence excited the people to frenzy. The reign of Terror had commenced. The Foreign Ambassadors had withdrawn after the deposition and imprisonment of the King to whose Court they were accredited. The Assembly was impotent; the municipal authorities were suspended; and six Jacobin leaders shared, with the populace, despotic power. A special tribunal was erected for the murder of obnoxious persons under the forms of law; but even this summary process was too slow to appease the ravenous appetite for blood. Numbers of persons of all classes and from all parts of France, accused or suspected of ill will to the Revolution, were collected, at the lowest computation, to the amount of five thousand, in the prisons of Paris. The The Jacobins.

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populace rose upon the prisons, burst them open, and massacred, with every circumstance of barbarous cruelty, the whole of the unhappy, and, for the most part, guiltless inmates. The National Assembly was superseded by a new body, called the National Convention, which proved more ignorant, more violent, more unprincipled and more servile than its predecessors. One of the first acts of the Convention was to abolish royalty; titles of honour and marks of distinction were likewise put an end to, as being incompatible with that perfect equality which, according to these fanatics, was the true condition of civilized society.

First successes of the Allies.

The delay of the invading army enabled the French to draw together a force for the defence of the capital. Had the Prussians pushed on, they would have found the city almost defenceless. In the few days that were spared to him, the French general Dumouriez augmented his army from twenty thousand to seventy thousand, and occupied the passes of the forest of Argonne, through which alone the invaders could reach the capital. The first encounter was calculated to encourage the overweening confidence of the Prussian commander. The advanced guard of the French, amounting to ten thousand men, fled from the charge of fifteen hundred Prussian hussars; and, in their panic, spread reports, which reached Paris, that Dumouriez was a traitor, and that his army was disbanded. Within

a week, however, this disaster was fully repaired, and the fortune of the war had taken a different and a decisive turn. General Kellerman, commanding an army of twenty thousand men on the Rhine, came up by forced marches to the relief of Dumouriez, and defeated the Prussians in a general action at Valmy, on the 20th of September. The immediate result was a negotiation, in which the Prussians made a feeble attempt to treat for the restoration of Louis, which had been so haughtily demanded in the proclamation of the allies. The answer of Dumouriez was the production of a despatch just received from Paris, announcing the abolition of monarchy. After some further efforts to obtain terms, which should enable them to abandon their rash and ill-conducted enterprise without disgrace and ridicule, the Prussians were reduced, by the firmness of their adversaries, to stipulate for an unmolested retreat into their own territory. This was conceded; Verdun and Longwy were evacuated, and the Prussian army retired from the soil of France with more expedition than they had invaded it.

Effect of the War in England.

These events were regarded with a deep interest throughout Great Britain. The friends of order and real liberty, of religion and property, in other words, the great majority of the nation, ranged themselves on the side of Government, and were resolved to defend the constitution in

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Church and State. On the other hand, a few zealots, combining with avowed democrats and the herd of evil spirits, always ready to take advantage of civil commotion, openly embraced the principles and defended the proceedings of the French Revolution. Two associations, the London Corresponding Society and the Constitutional Society, were founded for the express purpose of propagating the new doctrines. These societies established branches in most of the large towns. They adopted the forms and imitated the language of the French Assembly. The members styled each other 'citizens,' after the newest fashion of Parisian democracy; and as these clubs were in acknowledged sympathy and concert with the ruling party in France, there was reason to believe, not only that their movements were directed by that party, but that funds were supplied to them from the same source. The Society of the Friends of the People, consisting of the leading members of the Whig party, and which had been established solely for the purpose of promoting a reform in the representation, took care to separate itself from the revolutionary clubs. An address, or manifesto, promulgated by the Constitutional Society, having been communicated by Major Cartwright, the chairman of that body, to the Friends of the People, Lord John Russell, in replying on behalf of the latter, took the occasion to disclaim the extreme opinions enunciated in that

address, and to define the more limited views entertained by the body of which he was the organ. But in agitated times like these, public opinion ranges itself on the one side or on the other, and can find no resting-place in a middle term, such as that which a few fastidious noblemen and gentlemen might seek to recommend. Ch. 32. 1792

The Government meanwhile had observed the proceedings of the democratic party, with the intention of checking their career by an appeal to the law. The publication of the Second Part of the 'Rights of Man,' by Paine, afforded the desired opportunity. This treatise, written with great ability by one of the revolutionary leaders, and adopted as an authentic exposition of the views and objects of the democratic reformers, was selected as a subject for prosecution by the law officers of the Crown. A criminal information was filed against Paine, the avowed author of the book; his defence was provided for out of the funds of the Constitutional Association. His counsel was Erskine, and the cause was the first tried under the new Libel Act, which had lately been passed, principally through the exertions of that incomparable advocate. The case, however, was sufficiently clear on the record; but if any doubt could exist as to the character of the publication, it would have been removed by an insolent letter, which the writer, who had been elected a member of the National Convention, addressed to the Attorney General from Paris. In this epistle, Paine's Rights of Man.

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Paine, boasting his security in a foreign land, treated the proceedings which had been taken against him with derision and defiance, menaced the Attorney General, and insulted the King. It was in vain that Erskine employed all his ingenuity and eloquence in defence of such a cause and such a client. The jury would not hear the reply of the counsel for the Crown, nor even allow the judge to sum up, but immediately after Erskine had concluded his address, returned a verdict of guilty.

Measures taken against sedition.

This verdict, operating as a sentence of banishment against the man who might be considered the leader of the revolutionary party in this country, far from deterring, exasperated his followers. Seditious speeches and publications of increased virulence abounded more than ever; and it became evident, that the persons, who were intent on subverting the institutions of the country, and establishing, or attempting to establish, a democratic republic on the ruins, had engaged in organizing a wide-spread conspiracy for those purposes. The Government, therefore, deemed it necessary to take decisive measures. By a proclamation issued on the 1st of December, the Militia was embodied. The Tower of London was fortified; and other measures were taken for the defence of the country against foreign aggression, as well as domestic treason. And, in conformity with the Act, which required Parliament to be assembled within fourteen days

The Militia embodied.

in the event of the Crown calling out the Militia, the Houses were summoned for the 13th of December instead of the 3rd of January, to which day they had been prorogued. Ch. 32. — 1792

During the recess, a change of some importance had been made in the Ministry. The Great Seal was at length taken from Thurlow, who had held it since 1778, with the exception of the short period of the Coalition Ministry. This long tenure of office was maintained solely by the favour of the King, in the absence of those qualities which smooth the career of ambition and recommend a statesman to the esteem of his colleagues or the confidence of the nation. Impracticable, insubordinate, overbearing, insolent and treacherous, Thurlow was nevertheless a man of considerable powers, well able to sustain his part in either House of Parliament, and in the presence of men who have had no superiors in debate. He was a sound lawyer, also, though he never rose to the eminence of Hardwicke, and had no pretension to the profound and extensive acquirements of Eldon. But, on the whole, as a judge, he is entitled to be ranked among the most eminent who have presided in that great tribunal, which lawyers and statesmen have, for centuries, adorned. Thurlow's overbearing conduct.

Thurlow had long tempted the fate which at length overtook him. Under each successive administration, he had indulged the same wayward and overbearing temper; proposing nothing in council, objecting to every proposal, and, if the

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humour seized him, opposing and deriding, in his place in Parliament, those measures of administration which it was his duty often to conduct, and always to support. His conduct, during the King's illness, undeceived those who thought that so much roughness and insolence must, of necessity, represent an honesty and independence more robust than the virtues of ordinary men. One of the few occasions on which Pitt is known to have been provoked beyond the power of self control, was when Thurlow made his tremendous profession of loyalty,[c] after he had satisfied himself that the King would recover, and, consequently, that it was no longer necessary to keep terms with the Prince. Since 1788, Pitt had not admitted the Chancellor to his confidence; and his reason for making Grenville a Peer, was, that he might have a colleague, whom he could trust to take charge of the Government business in the House of Lords. The Chancellor, nevertheless, relying on the favor of the King, and his own personal influence, continued to oppose the measures of the administration, and to censure on many occasions the policy of his chief. At length this course of proceeding reached its limit, and Pitt informed the King, that either he or the Chancellor must

[c] Pitt was on the steps of the throne, and, after Thurlow's celebrated imprecation, rushed out of the House, exclaiming several times, 'Oh, what a rascal!'—*Locker* MSS.

retire from His Majesty's service. This alternative was decisive, and Thurlow was desired to resign the Great Seal.

Failure of attempts to conciliate the Whigs.

During the summer and autumn, various attempts had been made to effect a junction between the Government and the Whigs. The King made no objection to such an arrangement; and Pitt appears to have been willing, though not eager, to come to terms with the leaders of the Opposition. His administration was so powerful, that it required no additional strength; and it was not to be expected, that he should make overtures to his adversaries, at a time when their counsels were divided, and when many of them, including some of the most distinguished, were ready to give him unconditional support. On the other hand, however, the state of the country, and the aspect of foreign affairs, were such as to make it desirable that there should be a suspension of party conflict. Accordingly, a communication was opened with the Whigs, through the medium of Dundas. It was proposed, that a certain number of offices, both in and out of the Cabinet, should be placed at the disposal of the Opposition; but the unreasonable arrogance of that party brought the negotiation, if it ever went so far as a negotiation, to a hopeless point. The Whig leaders, the Duke of Portland, Lord Fitzwilliam, and Fox himself considered it an essential preliminary that Pitt should resign, and that some great Lord should be placed

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nominally at the head of the Government.[d] Such a proposition as this might have been just and reasonable in 1784, when Pitt at the age of five and twenty had taken upon himself the first place in administration, under circumstances, which, apart from the presumption of the act, were of somewhat doubtful propriety; but in 1792, a demand on the part of a broken and discomfited Opposition, that a Minister, who, with signal credit and success, had conducted the affairs of the empire for eight years, should resign his office, was, to the last degree, arrogant and preposterous. And if an arrangement, which has the effect of placing the post of first Minister in commission, can be, at any time, otherwise than fanciful and mischievous, it was assuredly most inexpedient at a juncture when the authority of

[d] Lord John Russell, in his *Life of Fox*, speaks of this as an absurd suggestion of Lord Fitzwilliam; but Lord Malmesbury, who made a minute record of the transaction, and was a party to it, expressly states that the Duke of Portland, who was the acknowledged head of the party as well as Lord Fitzwilliam, insisted, as they had done in 1784, on Pitt's resignation. Fox said to Malmesbury, in reference to the proposed junction, 'it was so damned right a thing that it must be done.' He, however, still held out on the impossibility of acting *under* Pitt. — *Malmesbury Correspondence*, vol.ii. p.466. Again, in an interview which Lord Malmesbury had with Fox, at St. Ann's Hill, on the 30th of July, 'Fox made Pitt's quitting the Treasury a *sine qua non*, and was so opinionative and fixed about it, that it was impossible even to reason with him on the subject.'—p.472. Dean Pellew, who would be equally well informed on the other side, asserts, in his *Life of Lord Sidmouth*, that Fox stipulated that Pitt should resign the Premiership.

an experienced and trusted Statesman at the head of affairs was needed as much as ever it had been. But even if this absurd obstacle had not been raised, it is not likely that the proposed coalition could have been effected. Fox had committed himself so far by the rash opinions he had uttered and maintained, with all the vehemence of his temperament, in reference to the French Revolution, that he was considered, even by his own party,[e] disqualified for the only office which he could well have taken — that of Foreign Secretary. Sheridan, who could not have been omitted from an arrangement which included Fox, was still more deeply compromised with the Revolutionary party. These eminent men, had they joined the administration, must have submitted to the policy, with regard to French principles, which Burke had set up, and which Pitt approved. The leaders of the Coalition could hardly have ventured on such an act, without abandoning any character for stability and consistency which they might still retain. All the sacrifices which usually accompany the union of parties, would have been on the side of the Whigs. The Minister would give up nothing;

[e] Lord Malmesbury relates that at a dinner of the Opposition, at Burlington House, shortly after the Proclamation for calling out the Militia, Fox denied the necessity for the measure, maintained that there were no *unusual* symptoms of discontent, and denounced the proceeding as a trick. But *none* of the Company assented to these observations. — *Malmesbury Correspondence*, vol. ii. p. 474.

Ch. 32. his opponents would give up everything. Pitt, therefore, was more willing that his adversaries 1792 should come over to him, than they were to take such a step, without any other equivalent than a share of office. The Whig leaders felt that they could not join the Government, while Pitt retained his position as its chief, without an absolute surrender and an unconditional adhesion. The project, therefore, of a union between the great parties, which, could it have been accomplished, might have averted great calamities, was abandoned as impracticable.

In the summer of this year, died Francis, Earl of Guildford, better known in the history of this country as Lord North. His character, as a Minister, has already been reviewed in these pages. With abilities of a superior order, with integrity and disinterestedness, which, though never ostentatiously displayed, always guided his conduct, Lord North managed the affairs of the empire, as if he had been the weakest and most corrupt Minister that ever held the reins of power. All the high and noble qualities which he possessed, were perverted by a fatal facility of temper, which made him the passive tool of an ignorant and bigoted, though well-meaning master. Yet there was nothing of servility in the nature of the man. He yielded to the pressure of an obstinate and pertinacious will; though earnestly desirous to retreat from a position, which he felt to be one of danger to the country, and

discredit to himself. A mistaken sense of honor and loyalty held him to his post. The generosity and placability of his temper, his tenderness of heart, the simplicity of his manners, his gaiety and wit, kept round him a host of friends, long after he had lost the power of gratifying them. No public man provoked more fierce political foes than Lord North, but of personal enemies he had none.

Pitt made Warden of the Cinque Ports.

The death of Lord Guildford afforded the King an opportunity of conferring a just reward upon Pitt. The office of Warden of the Cinque Ports, worth three thousand a year, was one for which His Majesty declined to receive any recommendation, as he had determined to bestow it on the Minister who had served him with so much fidelity and distinction. If Pitt had, up to this time, been deprived of office by any political vicissitude, he would have been left destitute of income; an appointment, therefore, which placed him in a condition of pecuniary independence, was one to which he could prefer a fair claim, after having given up a profession in which he would probably have attained the first place for the public service.

Although the imprisonment of the King necessarily suspended diplomatic intercourse between the Court of St. James's and the French Government, we learn from the private correspondence of Lord Grenville,[f] the Foreign Secretary, that

[f] *Courts and Cabinets of George the Third.*

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Ministers entertained no immediate apprehension of war; even the irruption of the French army into Belgium, and the occupation of Brussels, do not appear to have materially shaken their hope of maintaining peace; but the famous Decree of the 19th of November, by which the French Convention invited all nations to follow the example of France, and promised them the aid of her armies in throwing off their allegiance, at length determined the action of the British Government. Within a few days after this Decree had reached London, the Proclamations, calling out the militia and summoning Parliament, appeared in the Gazette. So sudden was the decision of the Cabinet, that the order for proroguing the Parliament to the usual time of meeting after Christmas, had been made only two days before the promulgation of the French Decree.

The King's Speech.

The Speech from the Throne intimated the probability of a rupture with France, though it expressed some faint hope that peace might still be maintained. The incendiary policy of the French Government, its tendency to violate the rights of neutral States, and its aggressive attitude towards the States General, the allies of the British Crown, were pointed out as inconsistent with the faith of treaties and the law of nations. Parliament was accordingly informed of an augmentation of the naval and military establishments, which would render it impossible at present

to proceed in the reduction of the National Debt, or the farther alleviation of the public burdens. This ominous announcement necessarily produced a great excitement and a violent conflict of opinion throughout the country. In the Lords, the language of the Speech was censured, though in guarded and doubtful terms; and an amendment to the Address, proposed by the Marquis of Lansdowne, who now separated himself from Pitt, and joined his old opponent, Fox, was negatived without a division. In the Commons, a more determined ground was taken by that section of the Opposition which adhered to the principles of the French Revolution. Fox put forth all his strength in denouncing the spirit which pervaded the Speech from the Throne. He broadly asserted that there was not one allegation in the Speech which was not false—not one insinuation which was not unfounded. He declared, moreover, his conviction, that the Ministers themselves did not believe their assertions to be true. He utterly denied the existence of any insurrectionary spirit in the country; and referred to some disturbances which had taken place, as arising from a demand of the working people for an increase of wages, and wholly devoid of a political character. The pretence under which the Militia had been called out, he denounced as a fraud; and he treated with contempt the violent and revolutionary demonstrations of certain societies in this country, which had been made the pretext for the alarm

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which the Government had raised. He maintained, that the best mode of allaying discontent was to remedy the grievances under which the people laboured, to repeal the Test and Corporation Acts, and other penal laws, and to amend the representation. He concluded by moving an amendment, censuring the adoption of measures which the law required only in cases of actual insurrection within the realm, and pledging the House to immediate enquiry into the circumstances which justified assembling Parliament in a manner so unusual, and so calculated to raise alarm.

Windham.

Pitt was not present to answer this general attack on the Government, his seat being vacant by his acceptance of the Cinque Ports; but his absence at this moment was the less to be regretted, since the member who rose immediately after Fox, for the purpose of opposing his amendment, and answering his speech, was one of the most distinguished members of the Whig party. This was William Windham, whose name was then, and is, to this day, associated with the idea of a perfect English gentleman. Independent, brave and generous, courteous and kind, the amiable qualities of the member for Norfolk were accompanied by a sound understanding, fine talents and oratorical powers, which enabled him to hold the first rank in an assembly with such associates as Pitt and Fox, Burke and Sheridan. Neither could Windham be called one of those timid and

aristocratic Whigs who had been scared from their principles by the first burst of the French Revolution; on the contrary, he supported the great principles of civil liberty, until they were perverted and disgraced by a sanguinary and tyrannical democracy. Long after the sagacity and forecast of Burke had penetrated the surface of the Revolution, and warned his country of the consequence, Windham continued his generous confidence in the good intention of the French democrats, though he deplored the errors into which enthusiasm had hurried them. But no false pride or pusillanimous adherence to consistency withheld him for a moment from taking the opposite part, when he perceived the real tendency and aim of events in France. He now stood up to avow the change his opinions had undergone. Like his greater predecessor, Burke, he announced his separation from those with whom he had hitherto been connected by political sympathy and personal friendship. He disagreed with almost every sentiment which Fox had uttered. He affirmed, from his own knowledge, the existence of a conspiracy between persons in this country and France for the subversion of the British Government; and that the agents of this conspiracy, acting under the obligation of an oath, were to be found in every town, in every village, and almost in every house. He exposed in forcible language the intolerable policy of the ruling party in France, who, under pretence of aiding other na-

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tions in the conquest of their freedom, really sought to invade the independence of every country in Europe.

Attempts to intimidate Windham.

Attempts were made by the followers of Fox and Sheridan to intimidate Windham by clamour, in the same manner as Burke had been assailed. But these attempts were easily put down by the high-spirited gentleman against whom they were aimed. Windham's speech, though immediately following one of the most powerful and striking efforts of oratorical power that had ever been exhibited in the House of Commons, produced a great impression; nor did the debate, though ably sustained by Grey, Dundas, Sheridan, Burke and Erskine, recover from the effect produced by an expression of opinion so emphatic and decided, from a member so high in character, station and ability, as the member for Norfolk. The division was decisive; only fifty votes were recorded for Fox's amendment, while the Address was carried by two hundred and ninety. On the report of the Address, Fox, irritated by defeat and the defection of his friends, made a violent speech, in which, after alluding with bitter exultation to the triumph of the French army over the allies, and taunting the Governmen with the disaffected state of Ireland as a serious obstacle to any effective military enterprise, he recommended that friendly negotiations should be opened with the rulers of France. The following day, Fox reduced this proposal into the form of an Address to the

Crown, that a Minister might be sent to Paris to treat with the persons who had assumed provisionally the functions of the Executive Government. The motion, after a long debate, was negatived without a division.

A few days, however, produced a marked change in the tone of the leader of the Opposition. On the 15th of December, he asserted that the war in which we were about to be plunged was caused by a matter of mere form and ceremony—referring in this manner to the cessation of diplomatic intercourse with France in consequence of the deposition and imprisonment of the French monarch, to whom our ambassador was accredited. On the 20th of the month, the Government proposed to increase the number of seamen by nine thousand. In the interval, intelligence had reached England that the French Convention were about to proceed to extremities against the King, and that his life would certainly be taken. Both Fox and Sheridan expressed their entire approbation of the proposed armament; Fox admitted, that the state of the Continent and the progress of the French arms rendered such a measure absolutely necessary. He spoke with abhorrence of the contemplated murder of Louis; and though he still wished for negotiation, the negotiation he desired was one that should be supported by arms. Sheridan spoke still more strongly in the same sense, urging that every exertion should be made

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to render the war, should we be forced into it, one of a decisive character.

Pitt, who had now resumed his seat, was prompt in committing the Opposition to their support of the warlike policy which the Government had adopted. He added, that the declarations from all sides of the House, according with the unanimous sentiments of the people, must make every nation in Europe feel, that this was not a safe moment to force the British empire into war.

Lord Grenville's Bill.

At the same time, Lord Grenville, the Secretary of State for Foreign Affairs, introduced a Bill in the Lords, for the purpose of enabling the Government to register and control the movements of foreigners in this country, and to remove them if necessary from the British islands. The Alien Bill was opposed by the Marquis of Lansdowne. He moved an Address to the Crown for an embassy to France, with a view as well of averting the impending fate of Louis, as of obtaining some provision for the destitute French royalists, who in great numbers had sought refuge in this country. This proposal, though dictated by motives of humanity, was unhappily impracticable. Since the deposition and imprisonment of the King of France in August, the British Government had held no diplomatic intercourse with the French nation; there was, indeed, no Government at Paris to which a British Minister could have been accre-

dited, even if the Court of St. James's had been disposed to resume diplomatic relations with France; for it was not until the 27th of December, that Chauvelin, who continued to reside in London after Earl Gower had been withdrawn from Paris, described himself in an official note to the Secretary of State as Minister Plenipotentiary of the French Republic. Lord Lansdowne's motion was made on the 21st of December, a time when, neither in fact nor in law was there any authority at Paris to which the Government could address itself. To remonstrate with murderers intent on the immediate consummation of their crime, would have been a merely futile proceeding; the indignant protest of Europe against this wanton deed of blood had already resounded in the ears of the ferocious demagogues who ruled in the French capital; and it was plain that nothing short of force would deter them from their fell design. Lord Lansdowne's proposal was not supported; but the Bill, in the last stage of its progress through the Upper House, was opposed, on the ground that it was virtually a suspension of the Habeas Corpus Act, and ought not, therefore, to pass without evidence of its necessity. This view was maintained by the new successor to the title of Guildford, and enforced by Lord Lansdowne, who still contended that the Bill was unnecessary, and originated in groundless alarm. The debate was chiefly remarkable for the speech of Lord Loughborough, who not only defended

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the Bill, but vindicated the whole policy of the Government, with regard to the affairs of France.[g] The vacancy on the woolsack was perhaps not altogether unconnected with this opportune support of His Majesty's Government. Loughborough received the Great Seal about a month after his speech on the Alien Bill.

The Alien Bill.

The Bill was debated with more keenness in the Commons. The Conservative Whigs selected this as a fitting opportunity to announce their

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[g] It had been arranged that the Duke of Portland should take this opportunity of declaring his adhesion to the Government, by speaking in the same sense as Loughborough; but, like his predecessor, the Marquis of Rockingham, the Duke was deficient in Parliamentary nerve and ability.—*Malmesbury Correspondence*, vol. ii.

The change which the opinions of other eminent men underwent about this time is remarkable. Romilly, in a letter, dated 15th May, 1792. 'The conduct of the present Assembly has not been able to shake my conviction, that it (the Revolution) is the most glorious event, and the happiest for mankind, that has ever taken place since human affairs were recorded.' On the 10th of September, he writes, 'How could we ever be so deceived in the character of the French nation as to think them capable of liberty! Wretches who, after all their professions and boasts about liberty and patriotism, and courage and dying, and after taking oath after oath, at the very moment when their country is invaded, and while an enemy is marching through it unresisted, employ whole days in murdering women and priests and prisoners, and then (who are worse than these) the cold instigators of these murders, who, while blood is streaming round them on every side, permit this carnage to go on, and reason about it and defend it; nay, even applaud it, and talk about the example they are setting to all nations.'—*Correspondence*, vol. ii. p. 3.

secession from their former political friends, and their adhesion to the Government. Lord Titchfield, representing the House of Bentinck, Sir Gilbert Elliot, Windham, Powys, and others, supported Ministers in the repressive and precautionary measures which they considered necessary. Fox, and the majority of the Whig party, on the other hand, though approving of measures for the defence of the country from the foreign enemy, denied the existence of any emergency which could justify either the Proclamation of the 1st of December, or any interference with foreigners visiting or resident in these islands. The debate on the second reading of the Alien Bill, referred mainly to explanations of the points on which the recent schism in the Whig party had turned; but Burke, by an error of taste more than usually unfortunate, threw an air of ridicule over these interesting and important statements. It had been asserted during the discussion, that the Bill could affect only a few, less than a score of individuals, and, therefore, that it was unworthy of Parliament to suspend the law of hospitality on a consideration so trifling. In reply to this argument, Burke maintained with much reason, that great mischief might be done by a few energetic individuals, acting in concert for a common object. He said that orders for three thousand daggers had recently been sent to Birmingham, and drawing forth a weapon of this description, cast it on the floor, exclaiming,

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'This is what you are to *gain* by an alliance with France!' Nothing short of complete success could have redeemed from disgrace and contempt such an experiment on the House of Commons. The feelings of the audience must have been wrought to the highest pitch; the acting must have been perfect, to carry off this transcendant flight of oratory. But the House was not in a humour for rhapsody. The severance of old connections, which, on this evening had been performed, was rather regarded as a painful necessity, than a matter of exultation on the one side, or of anger on the other. The prospect of a European war, at a time when the country was entering on a career of domestic improvement and commercial prosperity, was not agreeable to either party. The House was grave and thoughtful. When, therefore, Burke stood up, and, after fumbling in his coat pocket, flung a dagger on the floor, declaring that he voted for the Bill, to prevent the introduction of French principles and French weapons, the House was too much amazed to laugh; and Burke, confused and mortified, brought his speech to an abrupt conclusion.[h]

[h] This dagger had been sent to a manufacturer at Birmingham, with an order to make a large quantity after the pattern. Instead of executing the order, the manufacturer communicated the fact to the Secretary of State, and left the dagger with Sir J. B. Burgess, the Under Secretary. Burke happening to call at the Foreign Office on his way to the House, Burgess told him the circum-

The Bill was discussed with more animation on the Report; but the debate, like every other which had a reference to French affairs, took a wide range, extending from the policy of the English Government, to the original principles of civil liberty. The Bill passed through its several stages without a division. Three supplementary Acts were passed without much observation. The first prohibited the circulation of French assignats; by the second, the Government took power to prevent the exportation of arms, ammunition and naval stores; the third was an act of indemnity, confirming an order in Council, prohibiting the exportation of grain and flour to France.

Non-recognition of Chauvelin.

Chauvelin, though no longer recognised in a diplomatic capacity, after the incarceration of the French King, and the abolition of monarchy in France, still lingered in London, and had kept up an irregular correspondence with Lord Grenville, during the summer and autumn. The Frenchman, indeed, attempted to invest these communications with a diplomatic character, by assuming the style of Plenipotentiary from the Executive Council; but the English Minister, while he declined to correspond with Chauvelin officially, did not discourage his communications.

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stance and shewed him the dagger, which Burke borrowed for the purpose of exhibiting in the House.—Twiss's *Life of Lord Eldon*, vol. i. p. 218. This story was told by the present Lord Eldon, on the authority of Sir C. Lamb the son of Sir J. B. Burgess.

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Accordingly, several letters passed, and some personal interviews took place between the Secretary of State and the late Minister of the French King. This unusual proceeding, while it evinced the moderation of the English Government, and their desire to avoid a rupture with France, only exposed them to insult, without in the least degree promoting the object they had in view. The tone of the French correspondence was at first irritable and querulous; but at length it became so insolent and menacing, that there could no longer be any doubt, that the rulers of France meant to provoke a war with this country. On the 27th of December, M. Chauvelin, styling himself, for the first time, Minister Plenipotentiary of the French Republic, addressed a letter to Lord Grenville, demanding, on the part of his Government, a definitive answer to the question, whether France was to consider England as a hostile power? He then proceeded to defend the Decree of the 19th of November, and the forcible opening of the Scheldt, as warranted by reason and justice. He added, that England, by attaching importance to these acts, merely proved that she was determined to fix a quarrel on France; and that a war founded on such futile pretences, would not be a war by the people of England against the French nation, but a war by the English Ministry against the French Revolution. To this audacious statement, Lord Grenville replied, that the

Decree of the 19th of November, was a plain invitation to every country to rise against its Government, and that the reception given by the French authorities to the leaders of sedition in this country, gave that Decree a special application to the political institutions of Great Britain. The opening of the Scheldt being contrary to positive Treaty, could not be justified by any vague assertions of reason and justice, which France might think proper to set up; and that if she was desirous of maintaining peace with Great Britain, she must renounce her views of aggression, and confine herself within her own territory, without insulting other Governments, without disturbing their tranquillity, without violating their rights. He repelled, with just resentment, the insufferable appeal which the French envoy had ventured to make from the Government to the people of this country, to which he professed to be accredited. Such an appeal was, indeed, tantamount to a declaration of war, and could, under no circumstances, be tolerated, consistently with the maintenance of diplomatic intercourse, or the comity of nations.

Grenville's reply to Chauvelin.

Lord Grenville's reply to Chauvelin's note or letter of the 27th of December was laid before the French Convention, and became the subject of an elaborate report from a committee. This paper was a coarse inflammatory libel, worthy of the Assembly from which it emanated and the hand of Brissot, by which it was drawn up. On

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Brissot's report, the Convention passed a decree, that Great Britain should be required to abandon the Alien Act; to repeal the recent enactment prohibiting the exportation of grain; and to explain the meaning of her recent armaments: unless these demands were complied with, it was plainly intimated that the republic would declare war. Nevertheless, some farther communications took place between the French agent at London and the English Minister; but the execution of Louis on the 21st of January, brought this too protracted correspondence to a close. Chauvelin was simultaneously ordered to leave London by the British Government, and the French Convention. A few days afterwards, the Convention declared war against England and the United Provinces.

Message from the Crown.

On the 28th, the Minister brought down a message from the Crown, announcing that the military and naval establishments were to be placed on a war footing. The message was accompanied by the correspondence between Chauvelin and Lord Grenville, which in itself sufficiently explained and justified the necessity of such a proceeding.

Pitt's speech.

On the 1st of February, when the King's message was taken into consideration by the House of Commons, Mr. Pitt opened the business by a review of the policy of France, with regard to other countries, since the party of the Revolution had become predominant — the occupation of the Netherlands, with the avowed purpose of dis-

possessing Austria of those provinces; the forcible opening of the Scheldt by ships of war, in violation of treaties to which France was party; the decree of the 19th of November, which 'advertised for treason and rebellion'; and, finally, the letter of Monge, the Minister of Marine, threatening to make a descent on this island with fifty thousand caps of liberty, and promising to assist the English republicans in overturning the Government of this country. Ch. 32. 1792.

Fox, though opposed to war, admitted, in great part, both the facts and the inferences upon which were founded the necessity of extreme measures. With reference to the decree of the 19th of November, which, if not treated as empty rodomontade, must be considered as a declaration of war against every established Government in Europe, the leader of the Opposition said, in terms, that neither a disavowal by the Executive Council of France, nor a tacit repeal, by the Convention on the intimations of an unacknowledged agent, of a decree which they might renew the day after they repealed it, would be a sufficient security.[1] He admitted also, that the annexation of Belgium to France would be a just cause of alarm to this country; but he added, that a demand on our part, that France should withdraw without conditions from the territory of an enemy which had invaded her territory, was, in the highest degree,

[1] *Parliamentary History*, vol. xxx. p. 305.

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arrogant and unreasonable. The argument so stated was unanswerable; but the French rested their occupation of the Belgian provinces on a very different ground. They professed to withdraw, not when they should receive satisfaction for the wrong which had been done them by the sovereign of that country, but when they had *established the liberties of the Belgians*. It was the revolutionary and aggressive spirit of the invasion which concerned England, and made her a party to the quarrel between Austria and France. Equally weak and imperfect was the argument of Fox, that this country had not been formally called upon by Holland, in pursuance of treaty, to vindicate the inviolability of the Scheldt. The answer was, that though the opening of that river might not be in itself a *casus belli*, yet the assumption by the French nation to set up an arbitrary standard of justice and right, by which the validity of all treaties should be determined, was a pretence subversive of the law of nations, and fatal to the independence of every other Government. The Address was voted without an amendment or a division.

French proposals.

The French Government, however, still professed a desire to avoid extremities. By their desire, Lord Auckland, the British Ambassador at the Hague, was empowered to meet Dumouriez, the French General; and, notwithstanding the dismissal of Chauvelin, another envoy, M. Maret, was sent to London. But the proposed interview

between Dumouriez and Auckland was prevented by the intrigues of De Maulde, the agent of the Executive Council; and Maret, after remaining eight days in London without instructions from his Government, returned to Paris on the 6th of February.

On the 1st of February, the day on which the House of Commons took the royal message of the 28th of January into consideration, the French Convention declared war against Great Britain and the United Provinces; and on the 11th of February, this fact was communicated by His Majesty to both Houses of Parliament.

END OF VOLUME THE THIRD.

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